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REPORTS

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COMMITTEES:

SEVENTEEN VOLUMES.

—(11.)—

MANOR COURTS (IRELAND);

PAWNBROKING IN IRELAND.

Session

15 *November* 1837 —— 16 *August* 1838.

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1837-8.

SEVENTEEN VOLUMES:—CONTENTS OF THE

ELEVENTH VOLUME.

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REPORT

FROM THE

SELECT COMMITTEE

ON

MANOR COURTS, IRELAND;

TOGETHER WITH THE

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
30 *July* 1838.

Veneris, 24° die Novembris, 1837.

Ordered, THAT a Select Committee be appointed to inquire into the Operation of the Small Debt Jurisdiction of Manor Courts in Ireland, the Abuses which may exist therein, and the Remedies proper to be applied.

Mercurii, 29° die Novembris, 1837.

A Committee was nominated of—

Mr. Morgan John O'Connell.
Mr. Attorney-General for Ireland.
Mr. Lynch.
Mr. Lucas.
Mr. Villiers Stuart.
Mr. French.
Sir Edmond Hayes.
The Earl of Hillsborough.
Mr. Jephson.
Mr. Wyse.
Mr. Mackinnon.
Mr. Bridgeman.
Mr. Maher.
Captain Meynell.
Mr. Litton.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the Committee.

Jovis, 7° die Decembris, 1837.

Ordered, THAT the Report and Evidence taken before the Committee in the last Session, be referred to the Committee.

Lunæ, 19° die Martii, 1838.

Ordered, THAT Mr. Lynch be discharged from further attendance, and that Mr. Redington be added to the Committee.

Lunæ, 30° die Julii, 1838.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of the Evidence taken before them, to The House.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the Operation of the SMALL DEBT JURISDICTION of MANOR COURTS in *Ireland*, the Abuses which may exist therein, and the Remedies proper to be applied, and who were empowered to report the MINUTES OF EVIDENCE taken before them, together with their Observations thereupon, to The House;——HAVE considered the matters to them referred, and have agreed to the following REPORT:

THAT it is the opinion of this Committee—

1. THAT it is highly desirable that the means of recovering Small Debts in Ireland should be easy, cheap, and effectual.

2. THAT the frequent holding of well-regulated Courts for such purpose, placed in convenient situations, presided over by competent and impartial judges, and conducted on a simple and uniform system, would conduce materially to that end.

3. THAT the Assistant Barristers' Courts are found highly efficient for the recovery of small debts, and that the establishment of such Courts has proved eminently beneficial to the public.

4. THAT if the costs in such Courts for the recovery of debts not exceeding forty shillings were reduced, if they were held more frequently, and in such localities as that suitors, defendants, and witnesses would not be compelled to be absent at night from their homes, the necessity of Courts of inferior jurisdiction might probably be avoided, unless in considerable towns.

5. THAT until such extension of the Assistant Barristers' Courts shall take place, to which there appear very serious obstacles, it is desirable and necessary to preserve and take advantage of the Courts now existing in different parts of Ireland (though by no means equally or universally distributed) for the recovery of small debts; reducing the costs, and placing many of them on a more satisfactory footing than by the evidence taken before this Committee they now appear to be.

THAT among the means that might be devised for their better regulation, appear to be the following; viz.–

1. That no appointment of a Seneschal be final until approved by the next going Judge of Assize; and that any Seneschal acting after the assizes which shall occur subsequent to his appointment, without such approval, or without previously lodging with peace-clerk the security required by law, and the constat of the patent under which he claims to act, with a translation into English in cases where the patent is not in English, and a copy of his nomination, be subject to a fine; and that additional facilities be given to the public to punish Seneschals who shall try causes not within their jurisdiction.

2. That every Seneschal shall, on or before the 15th January in each year, deliver to the clerk of the peace a certified copy of the proceedings of his Court for the preceding year, which copy shall be laid before the Court at the next spring assizes, together with a return made out by the clerk of the peace of all Courts for the recovery of small debts within his district; which return shall further state when the respective officers presiding over such Courts were appointed; whether they have lodged the necessary legal security and constat of their respective patents; whether their appointments have respectively been approved, by whom, and at what period.

3. That every Peace-clerk shall keep in his office, and suffer to be inspected at all reasonable times, an alphabetical list of all townlands within his district over which manorial jurisdiction is claimed, according to the patents lodged with him; stating the parish, barony, and county wherein situate; the name of the manor, lord of the manor, and seneschal; the nature of the respective Courts claimed to be held; the nature of the Courts actually and usually held; and the usual time and place of holding the same.

4. That the powers, privileges, and practice of all such Courts be rendered uniform, so that a person acquainted with the law as administered in any one such Court, shall be in no danger of running into error as to the administration of the law in any other such Court; and that the process by distringas upon goods be so regulated as to prevent its being used oppressively.

5. That in no case shall a Court be held in a house where spirituous liquors are sold.

6. That appeal be to the Assistant Barrister at next quarter sessions, with power to him to give costs to either party; and that no appeal be received without an affidavit, on the part of the appellant or his attorney, of belief in the justice of the appeal; nor without lodgment of such sum as shall secure the parties against vexatious appeals.

7. That seven, instead of twelve, shall, in all cases, be a sufficient Jury; and that, with consent of parties, five or three be a sufficient Jury; and that increased powers be given to Seneschals to secure the attendance of jurors.

30 *July* 1838.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 7° die Decembris, 1837.

Mr. MORGAN JOHN O'CONNELL, in the Chair.

Mr. Litton.	Mr. V. Stuart.
Earl of Hillsborough.	Captain Meynell.

Lunæ, 14° die Maii, 1838.

Mr. MORGAN JOHN O'CONNELL, in the Chair.

Mr. Lucas.	Mr. Redington.
Mr. Jephson.	Captain Meynell.

Veneris, 18° die Maii, 1838.

Mr. MORGAN JOHN O'CONNELL, in the Chair.

Mr. Bridgeman.	Captain Meynell.
Mr. Litton.	Mr. Redington.

Mercurii, 11° die Julii, 1838.

Sir DENHAM JEPHSON, in the Chair.

Mr. Litton.	Lord Hillsborough.
Captain Meynell.	Mr. Lucas.

Jovis, 12° die Julii, 1838.

Sir DENHAM JEPHSON, in the Chair.

Mr. Redington.	Mr. Bridgeman.
Mr. Litton.	Mr. Lucas.
Lord Hillsborough.	Captain Meynell.
Sir E. Hayes.	

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MINUTES OF EVIDENCE.

Martis, 20° die Februarii, 1838.

MEMBERS PRESENT.

Mr. Bridgman.	Mr. Maher.
Mr. French.	Captain Meynell.
Mr. Lucas.	Mr. M. J. O'Connell.
Mr. Mackinnon.	

M. J. O'CONNELL, ESQ. IN THE CHAIR.

Mr. *Frederic William Macaulay*, called in; and Examined.

Mr. *F. W. Macaulay.*

20 February 1838.

1. *Chairman.*] WHAT is your profession?—I am a solicitor, in Ireland.

2. In what part of Ireland?—In the county of Antrim; and also a Parliamentary agent here.

3. Did you ever practise in the court of Moylinny, in the county of Antrim?—I have been several times in the court; I cannot say I have practised in it.

4. Have you ever been concerned in any case?—I have been concerned in some cases, partially.

5. Have you been concerned in the case respecting which evidence was given before this Committee last year by Mr. Sausse?—Yes, two cases, which I find referred to in the report.

6. You have perused the evidence of Mr. Sausse?—I have.

7. Did you give evidence at the time of the inquiry into municipal corporations in Ireland, before Mr. Sausse and his brother commissioner, Mr. Hudson, on the subject of the proceedings in those cases?—I did.

8. Are there any statements appearing in the evidence of Mr. Sausse which you wish to correct or explain?—Yes, there are several.

9. In what particular questions, according to the numbers of the evidence of last year, are they contained?—The objections refer to the statements generally. I can scarcely point out any particular question; but, beginning at No. 4533, in which the first action is mentioned; what I stated upon that occasion was, that I understood that in other manor courts the entire costs amounted to four guineas; but how much of that belonged to the seneschal and how much to me, I did not know, nor do I know now. It is stated here I said I was to get four guineas, and the seneschal was to get the remainder; that was not it, but it is the fact that he said, "Four guineas would be little enough for yourself, and I think I had better have as much." "Very well," said I, "do as you please." I do not know any more about it. It is stated afterwards, in No. 4455, in answer to a question by Mr. Lucas, that I was the attorney for the plaintiff. The entire I had to say to the transaction was this: the debt was to the amount of 35 *l.* 1*s.*; two attachments were issued for 17 *l.* 10 *s.* 6 *d.* each, because it was beyond the jurisdiction of the court. They issued the attachments, I believe, as a matter of course; the thing was quite usual; but the defendant in that case gave in bail, and it was then I first heard of it. It was then the party

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came to me to say, "I have done this; bail is given; what am I to do now?" Ledlie & Co., of Antrim, my clients, were a very respectable firm indeed, and I told them I thought they had done very wrong, and that they must drop one of the attachments, because they could not go on with both of them, and it rested with them whether they chose to go on with one of them, or in a proper way, giving up the goods (because they said they were afraid, having taken the goods); and they preferred proceeding on the one attachment.

10. Mr. *Lucas.*] What did you mean by giving up the goods, and proceeding the proper way?—In a superior court; or, if they preferred, going on with one attachment and making sure of that. I went into the court, and pleaded the matter for them, but I had nothing whatever to say to it before my appearance in the court or after it. It was then that I prepared the declaration that was necessary, a common-law declaration, but further I had nothing to say to it; nor had I in any other case in which I was concerned in the court. I went in to plead the case, but as to the issuing of the process, or the proceedings of the court, or the issuing of the decree, or anything of that kind, I had nothing to say to it, and I would not, because the whole practice was so abominable.

11. When you were called upon first to take any part in the case, you found two attachments had been issued?—Yes.

12. They split the cause into two suits, each of which would come under the known legal jurisdiction of the court?—Exactly.

13. You, finding that to be the state of the case, advised the dropping of one of those attachments?—Certainly.

14. Conceiving only one could be legally entertained?—Yes.

15. And it was so done?—It was so done; but after the finding of the court for the amount of one, it appeared afterwards that the seneschal was not contented with that, with the 17*l.* 10*s.* 6*d.*, but he actually altered the attachment, which I showed the commissioners at that time. I handed them all the documents. He altered it to 20*l.*, to make it as much as possible, and added 10*l.* costs.

16. *Chairman.*] Is it correctly stated in the same answer, 4533, that that alteration was made in your presence?—I have no recollection of that; I should think it was not.

17. Mr. *Lucas.*] If made in your presence, was it made with your knowledge?—If it were made in my presence, it must have been made with my knowledge; but I have no recollection of its being made; and I recollect the particular circumstances most distinctly, because it was the first time I ever was in the court; that is what impressed it upon me; and the proceedings altogether were so extraordinary, that I recollect them perfectly. It was held in a small back room of an inn in the town. I left the place as soon as I could get out; it was a little room, in which the seneschal, the jurors, and the witnesses, were all crowded together; and the seneschal came out into the street after me, to ask me that about the costs, and to ask the plaintiff, who came out with me, for some money to treat the jury.

18. Then I gather from you, that if this were done in your presence, and were done with your knowledge, it was done by the seneschal as his own act, and an act in which you had no concern?—Precisely: I could not control him; I could not have attempted to control him; I should have said, "You may do as you like, but I shall have nothing to do with it."

19. You were acting as counsel in the case, but not as an officer of the court?—I so considered myself. I had nothing to say to it whatever, except the mere pleading of the cause.

20. *Chairman.*] Then was it after you left the court that the seneschal came and asked you your opinion about the amount of the costs?—It was; he followed me out into the street.

21. Do you consider that proceeding of the seneschal itself a regular one, leaving his court in order to consult you about his costs?—Most decidedly not; very irregular.

22. Mr. *Lucas.*] The proceeding you consider was irregular, in the seneschal walking out of his court to consult you, for the court was not broken up, and he returned afterwards to complete the business?—Yes.

23. *Chairman.*]

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23. *Chairman.*] Mr. Sausse also was asked, whether the defendant in that case employed an attorney, and he answered, he did not recollect: do you remember whether he did or not?—He had not an attorney, I think; I am pretty sure he had not.

24. In the decree in which the alteration was made in the figures from 17*l.* 10*s.* 6*d.* to 20*l.*, did not the written words, seventeen pounds, ten shillings and sixpence, remain unaltered?—In the attachment, not in the decree. He altered the figures in the attachment, in order to make it tally with the decree.

25. Then, in one of the attachments, the one which was proceeded upon, the figures were altered, and the words were unaltered?—Yes, that is my recollection.

26. Had you any connexion with the case afterwards; are you aware whether the decree was levied?—The defendant told me he paid it.

27. Did he pay the whole amount?—He paid the whole amount; because I recollect he came to me afterwards, to ask me whether he could not recover the overcharge in the costs from the seneschal.

28. And what did you tell him?—I told him he might; and the seneschal was processed to the quarter sessions for it; I acted for the man in it, and the assistant barrister said he had no jurisdiction. When I found what had been the case, I would have done anything I could to assist the man in it.

29. There is a doubt expressed in the answer to the question 4557, as to whether you had stated your having or not having received the sum of five guineas, which was charged for costs; can you clear up that doubt?—I was paid by my client, but I cannot state the amount; I am sure it was not five guineas; I think it was four guineas; but it was after the time I saw the commissioners that I was paid, because those gentlemen, Messrs. Ledlie & Co., were my clients, and there was a long running account between them and me; the firm was afterwards dissolved, and Mr. Ledlie has since left the country, it was not until that period my account was settled; and that is the reason why it appears so here.

30. Are you able to state whether the seneschal received his proportion of the costs from Mr. Ledlie?—I can only say, that Mr. Ledlie told me that he had given him, he believed, very nearly 10*l.* for those two attachments, from time to time, besides his paying me.

31. It included the original costs of the attachment as well as the costs of the hearing?—Yes, from time to time.

32. In the case of Gault *v.* Murphy, which is mentioned also in this report, were you concerned professionally for either party?—I was merely applied to by Gault, stating that a writ of *certiorari* had been issued, and requesting to know what he could do upon it; I applied to the seneschal for the different proceedings, in order to have a return made out, as the return which I was advised was usual, and he had no proceedings whatever to hand over, neither an affidavit of debt, nor the declaration, nor the decree, nor anything else. The amount was small; I cannot exactly recollect what it was, and my advice to the man was, that it was better for him to lose it than commence proceedings.

33. You mention there was no affidavit of debt?—No; no such thing was ever taken.

34. Is it generally customary, or was it customary in the manor court of Moylinny, to require an affidavit of debt before issuing an attachment?—No, I believe not.

35. Mr. *Lucas.*] What ground do you rest that belief upon; have you had occasion to know it?—I have seen blank attachments in the possession of persons, who might have filled them up for any sum they pleased, and one or two persons have told me they had done so.

36. Those blank attachments being directed to the bailiff of the court, they had nothing to do but to hand them to the bailiff for execution?—They were not directed to any person; there was no regular bailiff of the court; they might hand them to whom they pleased.

37. And any person might execute them at his own risk?—Any person whatever.

38. *Chairman.*] In that case then, from the misconduct of the seneschal, the plaintiff's right to his debt was lost?—Yes.

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39. You stated it was a trifling sum, and it was not worth his while to proceed upon it?—Yes, I advised him not to do so.

40. If it had been a sum sufficient to warrant him in going to expense to recover it, what would have been his course?—His course would have been, I imagine, by action against the seneschal, by application to the Court of Queen's Bench. The seneschal is ordered to give bail, but I understood this man never did give bail.

41. Mr. *Lucas.*] If that seneschal never did give bail, was not that a great dereliction of duty on the part of the clerk of the peace for the county?—No; I do not see how the clerk of the peace could enforce bail being given; it is the duty of the seneschal before he acts to give bail, therefore I conceive any act he does without that would not be legal, because he would not be properly installed in his office until he gave bail.

42. Then, according to your belief, the clerk of the peace acts merely as the depositary of the document?—Merely.

43. And he has no power to compel its production?—I conceive he has not any.

44. *Chairman.*] Do you remember what became of the goods that were taken in that case of Gault *v.* Murphy?—No, I do not know anything of that.

45. Were you not concerned for the plaintiff?—Merely when the *certiorari* was issued. I should suppose the goods had been given up on bail being put in; I take for granted they were, but I know nothing of it. In the case of Ledlie *v.* Macartney, the goods seized was a puncheon of whiskey; it was seized *in transitu* through the manor; Macartney lived out of the manor altogether; it was taken away into the custody of the plaintiff, and was, I believe, put into other casks, in order to prevent its being identified again; but ultimately it was given up.

46. The whiskey was taken into the custody of the plaintiff?—Yes; there was no marshalsea of the court; all goods were taken into the custody of the plaintiff, to do what he liked with.

47. There is now a marshalsea?—I am not aware of such; I believe not.

48. It was also stated by Mr. Sausse that the seneschal seemed to consider the plaintiff in those cases did everything at his peril?—He did.

49. And that he himself was exonerated from any responsibility?—Yes; he frequently stated so.

50. Is he correctly described as being an eccentric, hasty old gentleman?—He was generally hasty, sometimes from the effects of intoxication. He was once a very respectable man, a man of property.

51. Have you ever known any goods lost, from the want of a marshalsea, or of a responsible person to take charge of goods seized under attachments?—Parties have applied to me, stating that their goods had been taken away, and they could not get them back on bail being given in, but I would not interfere in such matters; I knew the kind of court it was, and that there was no use in attempting to get anything properly done in it; and I never did interfere, only where I could not avoid it, where it was for persons I did not wish to refuse.

52. That seneschal has since resigned his office?—He resigned it some two or three years ago; and he died, I understand, within the last year.

53. Is the seneschal who has succeeded him a more efficient person?—Yes, very much so.

54. Is he a younger man?—He is a man, I suppose, of 27 or 28 years of age.

55. Of what profession?—An attorney; he is extremely anxious, and does everything in his power to make his court respectable.

56. In the time of the former seneschal, what was generally the proportion of attachment cases to civil bill cases?—That I could have no idea of; most of the attachment cases never were known to the court at all, because they were neither more nor less than those blank attachments filled up, the goods seized, and then the parties made some compromise, and the thing dropped. I laid hold of a parcel of those blank attachments myself upon one occasion, and I think I gave them to the commissioners; I know I had them, and I think I gave them to the commissioners of inquiry.

57. Mr. *Lucas.*] Did you ever know an appeal from the court of Moylinny to to the quarter sessions?—Frequently, to the assizes.

58. That is, in fact, the appeal?—Yes.

59. Would it not be the duty of the judge presiding at the assizes to ascertain, in cases of an appeal, whether the legal forms had been complied with by the officer of the court?—No, not unless brought before him by the parties. I think the judges are always disinclined to allow those points of form, or mere nice legal points, to be brought before them; they rather wish to hear the case upon the merits, if possible; I think that is generally their feeling. I have known the seneschal at Moylinny refuse appeals over and over again.

60. *Chairman.*] Was not the appeal tendered in open court?—I think it was. My information was, from the party coming to me to say such a thing occurred in the court. My reply would be, "Your only remedy is to appeal:" and he has come back to me, and said, "Sir, the seneschal will not receive my appeal." I have said, "Well, I cannot help it." I did not wish to have anything more to say to it.

61. Another complaint was made of trials on attachments in that court being had upon very short notice, almost immediately on the bail being given to the attachment; did any instance of that come within your knowledge?—There was no regulated kind of proceeding whatever in the court, and you might as well have a trial on one day's notice as a fortnight. You might have your trial when you pleased, if you paid for it; that was the secret.

62. Then the court-days were not regularly appointed?—Yes, there were court-days regularly appointed.

63. Mr. *Maher.*] Do you mean to say you could have a trial out of those court-days, by paying for it?—No. Supposing you had an attachment, upon which you seized goods to day, and the first court-day was two or three days hence, you could manage to have your trial then, instead of waiting your usual time; that was the way it was done.

64. *Chairman.*] How many manor courts are there in the county of Antrim?—I think fourteen.

65. There are some manors which have more than one court held in them?—Yes.

66. For instance, that manor of Moylinny has a court at Antrim and a court at Doagh?—Yes.

67. And there is another court under the same charter?—Yes, at Ballylinny.

68. Of which the same person is seneschal?—Yes.

69. How many of the seneschals in the county of Antrim are professional men?—Three.

70. Attornies or barristers?—Attornies: Mr. Stewart, the seneschal of Belfast; Mr. Gamble, of Moylinny, and Mr. Harrison, of Kerte, near Ballymena; he was an attorney, but he has not pracised for many years.

71. How many other seneschals are there?—There are eight seneschals in all.

72. Are many of the other seneschals magistrates of the county?—Three of the others are magistrates, Mr. Casement, Major Higginson, and Mr. Davison.

73. The practice of calling in an assessor upon some occasions has been mentioned by a former witness, who is also a seneschal in that county, Mr. Gregg, the seneschal of Lisburn. Mr. Gregg has stated, upon some occasions, he used to call in a legal person as assessor; has that custom been pursued by any other persons in the county of Antrim, to your knowledge?—Yes; Mr. Gregg, I believe, has regularly had an assessor, and his court is remarkably well conducted indeed. Major Higginson, upon being inducted into the court, had also an assessor, an attorney, who, I believe, still goes the circuit with him.

74. Is Major Higginson the seneschal of more than one court?—Yes, he is of several; he is the seneschal of Lord O'Neill's manors of Bucknaw, Cashel, Edenduffcarrick, and Mullagane.

75. It appears from the evidence, that no case of assessors being called in, was ever brought under the notice of the corporation commissioners; and it appears from the former evidence, and from yours, that two of the courts in which the seneschals were in the habit of calling in legal persons, were in towns in which corporations either do exist or had existed, and in which, therefore, the working of the manor courts came within the scope of their inquiry; does it not strike you as somewhat singular that no mention was made of that prac-

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tice to the commissioners?—Perhaps it did not exist at that time. In one case I know it did not: in Major Higginson's case, as he has not been appointed more than a couple of years, and Mr. Gregg, it appears, was not appointed until February 1834.

76. Are the attornies who are seneschals of courts in the habit of practising in the districts over which their courts have jurisdiction?—Yes.

77. Constantly?—Yes, certainly.

78. Would you not except from that answer the gentleman you mentioned, who had retired from practice?—While he did practice, his practice extended over the district of which he was seneschal.

79. Did you observe any dislike, on the part of seneschals who were unprofessional men, to the presence of legal men in their courts?—Yes, always, whatever they might say to the contrary. They seemed to think it was a want of confidence in themselves shown by the party, where they sought the assistance of a professional man; and I have sometimes told persons "You will do better without me," from that cause.

80. Did the same feeling seem to extend to the jury?—I do not think the jury cared.

81. A cause generally takes up more time if an attorney got into the merits of his client's case, than would be taken up without his assistance?—Yes; but time is not very valuable to the kind of persons placed upon those juries. I think they attend there more as a matter of amusement than anything else, and to have the settlement of their neighbours affairs.

82. Mr. *Maher.*] Is there any regular remuneration for their attendance?—There is a shilling in each case given to the entire jury, I believe; it is no remuneration.

83. Is not that generally a ground for giving them more?—I am not aware; it may be or it may not.

84. Is it the general habit to give them more than that sum?—I should not think it was.

85. *Chairman.*] In the last answer, do you refer to the courts generally, or only to the court of Moylinny?—The courts generally.

86. The shilling you have mentioned, is it directly chargeable for the jury, and to be given to the jury, against the plaintiff or defendant in the cause?—I have understood the jury have refused to give their verdict until they got their shilling; until they were paid.

87. In the Act of the 25 Geo. 3, there is an allowance of one shilling for summoning the jury, to the bailiff or marshal of the court; do you conceive the practice of giving the jury a shilling has been founded upon that clause in the Act?—I cannot say as to that; I cannot say whether it is founded upon that or not. I should say, they conceive they have a right to it.

88. There being, as you have stated, in the court of Moylinny, no bailiff or marshal, and, consequently, no jury summoned by them, are you aware whether the charge of a shilling for performing that duty was deducted from the civil bill costs of the suit?—No, it was not.

89. You alluded to the jury in one court having sent to the successful party to know what he would give them, according to the custom you have mentioned; did he give them any gratuity?—It was the seneschal himself.

90. And did Mr. Ledlie give the seneschal anything for the use of the jury?—He asked what he should give, and the seneschal said, what he pleased, something for them to drink; and Mr. Ledlie went back into the court, and upon coming to me again at my office, he told me he had ordered them a quart of whiskey.

91. Was that quart of whiskey ordered for the jury before the proceedings had terminated?—No; it was after they had terminated.

92. You have not practised in any of the other manor courts?—I have been in the manor courts of Edenduffcarrick, and Mullagane.

93. Professionally?—Yes, just in the same way as in Moylinny and Ballylinny.

94. In the other courts you have mentioned, were the jurors regularly summoned?—I think they were.

95. In the court of Moylinny, since the present seneschal has been appointed, has the practice of summoning juries been adopted?—Yes: the jurors are very respectable now in the manor of Moylinny.

96. Since

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96. Since the appointment of the present seneschal, where has the court of Moylinny been held in the town of Antrim?—In the quarter sessions court-house. At Doagh it is held in an inn; and at Temple Patrick, in a public-house.

97. Is there any other place for holding the court at Temple Patrick, except in a public-house?—No; I think it is the best place in which it could be held.

98. A distinction has been drawn by some witnesses, as to the willingness for such a jurisdiction as manor courts possess, on the part of the town population and the rural population, some considering that the town population are much more friendly to that kind of jurisdiction than the rural population; what is your opinion upon that question?—I have no idea there is any such distinction in the part of the country I have been in.

99. But where the process of attachment exists, do you not consider that it is more in favour with the town dealers than the country farmers?—Of course it is more liked by dealers of every kind, whether they be in town or country; but I do not think the fact of their living in towns would make it more so; it is from the circumstance that you do find more dealers in towns than in the country.

100. More creditors, in fact?—Yes.

101. Creditors prefer the attachment process, and debtors do not?—Yes; and it is preferred on account of the remedy it immediately gives where parties are leaving the country; there is so much emigration from that part.

102. Are there any other defects in the general system of the manor courts which have struck you, and which you wish to mention to this Committee?—Yes, there are; there is one thing I look upon as quite absurd, and that is, that the process is to be dated seven days before the trial, and may be served only three days; I cannot conceive the slightest reason for that. The mode of appointing the seneschal also is quite too loose.

103. Is it not at least an evasion, if not a violation of the Act of Parliament, that system of serving the process?—No, the Act of Parliament provides for it; it says that it is to be signed seven days before, and may be served only three.

104. Do you consider that the evil is to be attributed to the sort of fiction which is contained in a proceeding of that kind, or to the shortness of the notice itself?—To the shortness of the notice as much as the other.

105. Are the manors in general large, and are the places for holding courts remote?—They are large; the manor of Moylinny, for instance; from Antrim to Doagh is six miles; and it is considerably more extended than that.

106. But there are courts held at each of those places?—There are.

107. Are they held at times convenient for each other?—They immediately follow each other.

108. Then they are held for different districts of the manor, and not the whole?—No, they are held for the whole manor, and they are held immediately after. The seneschal himself resides in Belfast; he does not reside in the manor; he resides 10 miles off, and he appoints those circuits for his different courts day after day, and they are held accordingly, but I have known parties summoned from Antrim to the court at Doagh, for the purpose of annoyance, generally respectable parties; I recollect being obliged to go to Doagh to defend a process there, served upon a gentleman by his servant, and, after the process had been defeated at Antrim, it was then brought at Doagh, in order to annoy him.

109. Mr. *Lucas.*] Does not that apply to some other courts for small debts as well as the seneschals' courts?—Yes; it applies to the quarter sessions courts, as at present established.

110. Does it apply to any other small debt courts?—I cannot say.

111. Do you know anything of the local courts at Dublin?—No.

112. Then you cannot say whether it applies to them or not?—No.

113. Can persons be summoned to a considerable distance from the quarter sessions courts in the county of Antrim?—They can.

114. For the recovery of small debts?—They can; I have known instances where they have been summoned from below a place called Toome to Belfast, which is 22 Irish miles distant, and I have known them detained there per-

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haps a week, while there was a quarter sessions town only nine miles off, that is Antrim, which is between Toome and Belfast.

115. Does that result unavoidably from the geographical shape of the district, or from a bad arrangement with regard to the courts?—It is not from the geographical position of the places, but from the arrangement of the quarter sessions; there are only two divisions in the county, and of course they must be very large, and the quarter sessions at Belfast are held immediately after the quarter sessions at Antrim, therefore parties who either wish to annoy the defendants, or who perhaps may not be able to get their processes served in time for Antrim, would serve them for Belfast, which would be a week later, and they take them all that distance.

116. Then that is not an inconvenience which results from the nature or constitution of small debt courts, whether manor courts or assistant barristers' courts, but from a defective and inconvenient arrangement as regards the position of the courts themselves?—I think so; I know an instance within the last six months, where a gentleman residing in Belfast, who is a tithe-holder of the parish of Duneane, in which Toome is situated, processed 100 or 200 persons the distance I have stated, and although some of the claims were not more than 5*s.*, 10*s.*, 15*s.*, or 20*s.*, those persons were detained for a week or ten days.

117. Is your own opinion favourable to the maintenance of small courts for the recovery of small debts?—Decidedly.

118. Then any objections you have stated now are objections not to small courts generally, but to the defective constitution and position of them?—Certainly.

119. *Chairman.*] You stated another objection, the manner in which seneschals were appointed; will you explain that more fully?—It is, that there is no restriction whatever upon the lord of the manor appointing whomsoever he pleases, and there have been many cases where persons not at all proper for the situation have been appointed.

120. Mr. *Lucas.*] Is there not this restriction by law, that although the lord of the manor may appoint any person he chooses to select, fit or unfit, yet that person is bound by his responsibility, by the law obliging him to lodge security to the amount of 500 *l.* with the clerk of the peace?—Yes, but if a person finds the man who is appointed not to be a competent man, it implies the necessity of that person bringing an action against him, and in the situation of life in which the suitors generally are, it would be an impossibility for them to do so.

121. Is it the interest of the lord of the manor to appoint a fit or an unfit person for the office of seneschal in his manor?—I should say, of course, a fit person, except under particular circumstances. Now there is the manor of Moylinny, in which it is a matter of very little consequence to the lord of the manor, Lord Donegal, whom he appoints; for though he is the lord of the manor, yet the greater portion of that is held by under-tenants of his for ever: for instance, the land in Antrim, and all about it, is held under the Donegal family by Lord Ferrard for ever. Now, in that district, Lord Donegal appoints the seneschal.

122. Generally, however, I understand your opinion to be, that it would be the interest of the lord of the manor to appoint a fit person to be seneschal?—Yes, where the manor is in his own estate, and is his own property; but where he is the mere lord of the manor, and the property is in the hands of others, he has no interest in it.

123. What remedies would you propose for better securing the appointment of fit persons to be seneschals?—What I should propose would be, that the person to be appointed, whoever he is, should have a certificate, after examination, from the chief justice of the Queen's Bench, or some of the judges to be appointed or named, that he is a proper person for the situation, after an examination upon the common principles of law.

124. Does any other security occur to you at present?—I do not think there is any. It has been mentioned by some persons that there ought to be a qualification by property, but I do not see that; I do not see why a qualification of property should be asked from the seneschal more than from an assistant barrister or a judge.

125. Mr. *Maher.*] Do you not think it would be necessary to have some pecuniary security, in the shape of bail, for the legality of his acts?—I do not think so at all; I do not see why that should be more required of one than the

the other; to make him amenable, of course he should be liable to dismissal if he does anything wrong.

126. *Chairman.*] In whom would you vest the power of dismissal?—In one of the courts.

127. Mr. *Lucas.*] Is it not the law at present, that the seneschal must, before he acts, lodge security to the amount of 500*l.* with the clerk of the peace for the county?—Yes.

128. Could you suggest any means of more effectual compulsion towards the lodging of that security, for you have stated in some cases you have known the security not to have been passed?—I fancied it was not.

129. Then could you suggest any more effectual provision for compelling the seneschal in all cases to lodge that security?—The necessity of his doing so might be rested upon the lord of the manor; that is, in case the lord of the manor appointed any person who did not perfect that security within a certain period, or if he acted without, that the lord of the manor should be responsible.

130. What would you think of this suggestion, that the assistant barrister should, at a time named, say the present moment, call upon all those seneschals claiming to act within the district for which he is assistant barrister, to show their security, or to perfect it where it does not exist?—If a thing of that kind were necessary, I think it should be rather done by the judge of assize.

131. Should you consider that a desirable step to be made incumbent upon the judge of assize?—I do.

132. At certain times?—Yes.

133. From time to time?—I do.

134. Do you think a provision of that sort would tend very much to remove the difficulty of which you complain?—I think it would.

135. *Chairman.*] With regard to the nature of the appeals from the manor courts, do you see any particular deficiencies in the law upon that subject?—Yes, it is very deficient; it is more a means of annoying a fair suitor than it is of any benefit to the appellants.

136. The only appeal from the civil bill jurisdiction of the manor courts is to the judge of assize?—Yes.

137. May it not then often happen that a party may take advantage of that appeal to gain eight months' delay?—No doubt; and I should say in four cases out of five which have ever come across me that is the object.

138. In fact, of the number of appeals lodged, a very small proportion are ever proceeded with?—Very few.

139. Have you ever known the appeal bond to be proceeded upon in case of the non-prosecution of the appeal?—I think I have, but I am not certain; I can only think of one instance; but whether it was proceeded upon, or whether the party merely asked me as to proceeding upon it, I cannot say; I recollect nothing distinctly about it.

140. In the generality of cases, does not the respondent, in an appeal case, compromise the matter with the appellant?—Where it is for delay, or where the sum is small, he is perhaps glad to do it, because the time for hearing the appeal at the assizes is not fixed by any rule; I have known them sometimes tried first, sometimes last; and the parties are obliged to go a considerable distance to the assizes, to take their witnesses there, and if the debt be a matter of 1*l.* or 2*l.*, it is much better for them to lose it.

141. You mentioned that there was an aversion on the part of one seneschal to receive appeals at all; might not that have proceeded in some respect from the bad odour in which appeals are generally held, and in which a good appeal is confounded with bad ones?—No; I should conceive, in that case, he had good reasons from the opposite party to refuse the appeal, because, otherwise, he is always exceedingly willing to receive an appeal; he has a fee of 1*s.* upon every appeal, and I have no doubt it was because he was paid by the opposite party.

142. Is there in general, in the part of the country with which you are acquainted, any difficulty thrown in the way of lodging appeals by the seneschals?—No; they are rather favourable to them, to get the additional shilling.

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143. Have you ever heard of any instances, in your part of the country, of a check being imposed upon the lodging of appeals, by requiring the lodgment of double the costs?—No, never.

144. The Act requires that security should be given for the payment of the debt, and double the costs, in case of an appeal?—Yes.

145. You never have heard that construed so as to require security for the payment of the debt, and the actual lodgment of double costs?—No.

146. What would you be inclined to suggest then as a remedy against vexatious appeals?—It is a very difficult matter to guard against it without placing such difficulties in the way as would perhaps render it almost abortive.

147. Have you ever considered the question of rendering the appeal a more frequent one, and recurring at more brief periods, for instance, giving it to the assistant barrister and a jury at the sessions, instead of to a judge of the assize?—I do not think it would do to give it to the assistant barrister, because I think the courts are too nearly of the same jurisdiction, the same extent of power, and acting in the same place, to give to the one such a preference over the other. If you admit that the seneschal is a man who has a right to decide upon a 20 *l.* case, and in some manors they have a much higher jurisdiction, I do not think you could give an appeal satisfactorily to another man, whom you restrict to judging upon precisely the same cases.

148. In the county of Antrim generally, the manor court's jurisdiction goes up to 20*l.*?—Yes.

149. Some few are as low as 10*l.*?—Yes; in fact they were of greater extent and larger jurisdiction as to amount than the quarter sessions, until the last Act.

150. But in counties where the jurisdiction of the manor court does not exceed 40*s.*, or 5*l.* or 6*l.*, your objection to the nature of the jurisdiction would not apply?—No.

151. Mr. *Lucas.*] Is not the remote period at which the assizes are held a bar to their working well in that respect?—It is decidedly.

152. So that there would be the ready means of a fraudulent defendant fighting off his debt for at least seven months in the year?—Yes. There is one thing which has suggested itself to me, I do not know whether it would be worth acting upon or not, or whether it could be acted upon, but in cases in the manor courts, I should be inclined to say, unless there were a very small majority of the jury, I would allow no appeal. For instance, if you have a jury of 12, if there are seven to five upon the finding, I would allow an appeal, but if there were eight to four, or ten to two, I would give no appeal.

153. Are you for keeping up the number of 12 in the jury?—No, I am not.

154. *Chairman.*] Do juries decide by majorities in the manor courts?—I have no doubt they do; I have known them do so; that is, if six or seven are of one opinion, and four or five are of another, they will give in on either side.

155. Do you think the provision you suggest is one which can be rendered practically operative without an alteration of the legal notion of a jury in England and Ireland?—I confess there is a difficulty about that, and I premised that when I made the suggestion.

156. Have you considered any other means by which vexatious appeals might be guarded against, with regard to the lodging of any sum or the payment of any sum into court as a security for costs?—It is a hardship to ask a party to pay money into court, more particularly if it is an unjust claim. If the defendant appeals, it is a hardship that he should lodge a sum of money which he thinks he is not legally bound to pay.

157. In the quarter sessions courts is there any additional security required beyond that given in the manor courts, save the affidavit of the appellant's attorney?—No, it is the same; there is the party himself with two bail; it is the same in the manor courts, but with the addition in the quarter sessions of the affidavit of the attorney, that he believes they have probable cause or reasonable ground for success in the appeal.

158. Would there be any advantage, in your opinion, in extending the latter provision to the manor courts?—Yes, where an attorney is employed, but there are so very few cases where an attorney is employed.

159. And it would oblige the party appealing to employ an attorney?—Yes, unless you permitted the party himself to make an affidavit, and that I am afraid

afraid you could scarcely rely upon, because in fact they are not judges of it; they do not know when they have a right to appeal and when they have not. I have practised at the quarter sessions for better than ten years, and I never appealed in my life.

160. Do many persons, not licensed attornies, practise in the manor courts?—Yes.

161. Of what class are they?—Of course a very low class.

162. Writing clerks?—They are persons without any exact profession or calling, who have a taste, and consider they have a talent, for law and speechifying.

163. For instance, attornies' clerks who have not been the best conducted persons in the world, who get a smattering of law, they will become the legal advisers of these parties in the manor courts?—Yes.

164. Where there are no manor courts, such persons perform the rough work of filling up processes for parties?—Yes; I know one person who was an attorney's clerk, and he has risen to be registrar of the court.

165. Is not much injury done by the fact of such persons being allowed to act?—Yes, the greatest possible.

166. Might it not be a very useful thing to restrict the power of such persons to practise?—Yes, decidedly, if it could be done.

167. It would be possible to prevent their pleading in court, but you could not prevent them acting as advisers or chamber counsel in private?—Just so.

168. Do you consider it necessary, in the manor courts, that the full number of the jury should be kept up?—I do not.

169. Six has been suggested as a better number by some witnesses; what would you say to that suggestion?—I like very much the Scotch plan, of the verdict being found by a majority; and upon that I was founding the observation which I made before. If you had seven upon the jury, and it required only a majority of that seven to bring in the verdict, then you could restrict your appeals to cases where that majority was not over one.

170. Then, with the provisions of the Scotch law brought into those courts, you consider that seven would be the best number?—I think so; it would facilitate the findings very much; it would prevent juries disagreeing, in being shut up, which we have every day. There would be a majority for one side or the other, and the business would get on without any delay.

171. Does not the law, with regard to the power of summoning jurors, require some additions?—I believe there is no power to summon at present, and, of course, there ought to be such a power.

172. Mr. *Maher.*] Is not the seneschal bound to provide a jury?—Of course; he cannot try his case without a jury; but then the worst part of the matter comes; because if the jury, even when you have summoned them, do not choose to attend, where does he get his jurors? He gets them out of the parties attending in court, and those parties attending in court are generally the suitors or witnesses in the cases, and very frequently one party is juror for the other.

173. Mr. *Mackinnon.*] They are not parties nor witnesses in the cases on which they serve as jurors?—Frequently they are witnesses.

174. Our courts of justice adopt that mode of obtaining a jury?—Yes; but it is quite a different class of persons you have upon the jury to what it is in the superior courts.

175. *Chairman.*] With regard to the amount of pecuniary jurisdiction, do you think the limitation or equalization of that in the different courts would be beneficial?—Surely.

176. You have already mentioned, that in most of the courts of the county of Antrim the jurisdiction is equal to that in the assistant barrister's court?—Yes.

177. And in some it only amounts to 10*l.*?—Yes.

178. Are you acquainted with the courts in the county of Down?—I cannot say I am.

179. Are you aware that one court in the county of Down has jurisdiction to the amount of 200*l.*?—Yes; that is at Hillsborough. There is a jurisdiction which the manor courts possess, and which is really a most improper one, in my mind, that is, in cases under 40*s.*, of examining the parties upon oath.

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180. What particular harm do you see in that?—I have seen parties get up and swear, one that the debt was due, and the other that it was not due. It leaves it entirely in the hands of the parties, who are among the very lowest of the population. I conceive that the Act of Parliament meant nothing but that if the court and jury thought proper they might examine either of the parties; but it has been acted upon in a very different light; it has been acted upon in this way: that the party suing has a right to go up and demand to be examined. It was my view, and I advised the seneschal of Moylinny that he was not bound to receive the evidence; but if, in the course of the proceeding, the court and the jury saw it was necessary to examine either party, the plaintiff or defendant, they should be at liberty to do so; and the Act of Parliament goes on to say, they shall have the further power of allocating the payment of the decree by instalments, if they please. I take it, that examination was more with a view to see whether the decree should be allocated by instalments or not; but it has been acted upon very differently indeed, for the party is allowed to go up and swear the debt is due.

181. Are the words of the Act similar to those which give the like jurisdiction to the assistant barristers?—No.

182. With regard to the equalization of the jurisdiction, you have nothing further to offer upon that head?—No; I think it ought to be equalized.

183. Are there any parts of the county Antrim which are not in any manorial jurisdiction?—Yes; there is a very large district adjoining Antrim, the barony of Lower Massareene, there is no manor in it. In the older leases there are covenants to attend the courts leet and court baron of the manor, I think, of Killylough, upon part of General Pakenham's estate, and upon the estate of a Mr. Henry, in the same barony; but there has not been any court held there in the memory of any person; there is no record of it.

184. Do the inhabitants of this district complain of the anomaly of their neighbours having the benefit of attending these courts, while they have not?—I have frequently heard parties say it was much better for those who lived in manors, where they could get attachments; they seemed to prefer that, but nothing further. A speedy remedy against the goods is what the lower orders require; it is nothing to them to take a man prisoner; it frequently turns out that it is granting a boon to the opposite party.

185. Then that is a great advantage of itself in the constitution of these courts, the speedy recovery of debts?—Yes.

186. It is a great advantage also, as contrasted with the proceedings of the quarter sessions, is it not?—Yes.

187. You have mentioned the great delay at the quarter sessions?—Yes.

188. To what would you attribute that; to the too great size of the districts, or the infrequency with which the courts are held, or to business of a different kind being mixed up with the small debt jurisdiction?—I think it may be attributed to all those things; I think the districts, in the first place, are too large, decidedly; and I think also that the courts are not sufficiently frequent, nor do I think there is enough time devoted to them; and there is such a multiplicity of business at present imposed upon the assistant barrister, that it is impossible for him to get through it in good time. Look at the registry, the legacy, and replevin cases, which are frequently very tedious.

189. The legacy and the replevin cases are matters of property, and may come within the jurisdiction of the small debt courts; but do you see any advantage in continuing the registry cases in the assistant barrister's jurisdiction, in the manner in which they are at present?—No, I do not; they might be done better in other ways.

190. Is there any advantage which is not counterbalanced by the disadvantage which they cause to the civil bill jurisdiction?—Most undoubtedly, I consider the delay counterbalances any advantage arising from it; I speak of Antrim more particularly; the others must be regulated by the same rules. There is first the registry of the county of Antrim, then the registry of Belfast, and then the registry of Lisburn; and the registry must be gone into before any other business. The consequence of which is, that it is impossible to know when the other business will come on, and a party must enter his case on the first day of the sessions, if he has a civil bill case, before the sitting of the court. Then comes on the registry; you cannot tell when that will end; parties may come up or they may not; and after that, the Act of Parliament, giving jurisdiction in the legacy and

replevin cases, directs that they shall be heard before the civil bills; therefore, they must be gone into next; so that it is totally impossible for the suitor with a common process at the sessions to know within a couple of days when it will come on.

191. Then if the business of the registry were either taken out of the hands of the assistant barrister, or, remaining in his hands, were taken at some other time than the quarter sessions, would it not be a much greater convenience to the suitor?—I am sure it would; I do not see any reason why it should be taken from the assistant barristers; I do not see why they should not do it as well as any other persons, but not at the time at which they are obliged now to do it.

192. Connected with the advantages of the frequent hearing of cases, does not the process of attachment, where properly administered, add much to the convenience of the suitors?—Certainly.

193. Do you conceive that many amendments are requisite to render it properly managed in the different courts of the country?—I do not think many amendments; I think a few would be necessary, but not many.

194. Ought not an affidavit of debt to be made compulsory previous to issuing an attachment?—Decidedly.

195. Do you not think the issuing of either should be kept in the hands of the seneschal himself, or the marshal, or some proper officer?—I think the issuing of the attachment ought to remain in the hands of the seneschal; I would not give it to any other officer.

196. And that the affidavit should be taken before the seneschal?—I should be inclined to authorize competent persons, in different places, to take the affidavits, so that it should not be compulsory upon the parties to go to the seneschal, for they might have to go a considerable distance. If, for instance, the commissioners of affidavits for the superior courts, of which there are a number in the different towns and villages, had the power to take the affidavit of debt, that could be forwarded to the seneschal, upon which he could issue his attachment, filing that affidavit of debt, I think the difficulty would be done away with.

197. The commissioners of affidavits are paid by fees upon the affidavits they take?—They are.

198. Mr. *Maher.*] Do you know whether that fee differs much from the fee the seneschal would receive upon taking the affidavit himself?—The fee the commissioner receives is 1*s.* 6*d.*; I do not know what the seneschal charges; I believe it is different in different cases. They seem to lump up the fee upon the affidavit with the other charges they make for an attachment, viz. 12*s.* 6*d.*, which includes the drawing the affidavit, swearing it, and filling it, which is now done by the seneschal himself.

199. Do you consider that the costs in these attachment cases are fairly proportioned?—I think they are too high.

200. Are you aware there is a great discrepancy between the costs in different courts?—Yes, there seems to be no fixed rule.

201. If that part of the jurisdiction is confirmed, ought not a scale of costs to be annexed to such proceedings, as well as the proceedings in civil bill cases?—Yes; and the proceedings themselves might be, and therefore ought to be, very much simplified. After the attachment is issued, if bail be given in, I would do away with the common law plan of declaration and plea, and all those things, and let a simple civil bill summons be issued.

202. It has been stated to the Committee, that in the court of Augher, in Tyrone, where this process was in use, it commenced as if upon the common law side of the court by attachment; then when bail was put in to that, the rest of the proceedings by civil bill was under the statute?—Yes; I recollect old Williamson, the seneschal of Moylinny, wished to make it appear to the commissioners of inquiry that that was his plan, but it was not.

203. Mr. *Maher.*] I think you have recommended that the rate of fees and the jurisdiction should be equalized in all these courts?—Yes.

204. To what amount would you limit the jurisdiction, considering that your jury is to be reduced to the number of seven?—I think if those courts had a jurisdiction to the amount of 5*l.*, and that jurisdiction were taken from the quarter sessions, so as to make them really inferior courts to the quarter sessions, it might have a very good effect.

 205. Then

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205. Then you would extend them from being manor courts to be district courts?—Yes.

206. *Chairman.*] Then you would not allow any cases under 5*l.*, except cases in which real property was concerned, such as ejectment, and so on; you would not allow any of the ordinary cases of simple debts, which now can come before the quarter sessions, to come before it?—Not if you keep the two courts in existence. The observations I have been making, are supposing the two courts are to be kept in co-existence.

207. With reference to the division of districts, how would you recommend the Legislature to proceed with regard to districts, not manorial themselves, but contiguous to existing manors, and which might be conveniently annexed to them?—I do not see why the Government should not appoint persons as seneschals as they do barristers, that is, proper persons, in the way I have stated.

208. Suppose a district, not a manor in itself, to be annexed for the purpose of forming a new district to an existing manor where there is a seneschal of the court, would you in that case leave the nomination to the office of seneschal of the new district in the hands of the previous lord of the manor, or would you control it in any way, in consideration of the new district being annexed?—That would depend more or less upon the extent of territorial jurisdiction which would be given to him, because it might be a very small portion.

209. However, in districts where there were no manor courts previously, which were now formed for the purpose of courts of this kind; in that case, would you leave the nomination in the hands of Government?—I would, unless where the entire of the property is in the hands of one person. If it be the estate of one person, I would permit that one person to appoint his seneschal, under the veto I before mentioned, that is, that he should be a proper person, and certified to be such by the judges.

210. Mr. *Maher.*] Do I understand that you would recommend the seneschals' courts to be kept up under some more proper regulation, and that where they do not exist, distinct courts of nearly the same extent should be created, under the control of the Government, but in all the jurisdiction to be limited to 5*l.*, with a jury of seven persons competent to try the cases?—I cannot say that is entirely my opinion, because I see great difficulty in retaining the same system as far as it goes, and engrafting the other upon it. I should be more of opinion that it would be better, if possible, that the nomination of seneschals to those particular districts should be altogether changed, and there should be persons appointed to convenient districts, not the present, but convenient districts, with the jurisdiction I have mentioned. At the same time, if the business of the quarter sessions could be arranged so as to take up less time than it now does, it would be a superior jurisdiction to any manor court that could be.

211. *Chairman.*] A suggestion was given by Mr. Fogarty with reference to the substitution of a stamp upon some of the proceedings, instead of fees; do you consider that a good suggestion?—I do.

212. Upon what part of the proceedings would you put it?—I would put it upon the original process. My reason for that is, that I know parties very frequently issue a process never intending to go on with it, but merely because it can be issued for so small a sum, and they do it to annoy the opposite party; to get him out of the way and keep him in attendance at the court for a day or two. I would put a stamp upon the process, so that if they did not intend to go on with it there would be some loss out of their own pockets. That stamp might be put on instead of some of the present fees.

Martis, 6° *die Martii*, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Captain Meynell.
Mr. Lucas.	Mr. M. J. O'Connell.
Mr. Litton.	Mr. Jephson.

M. J. O'CONNELL, Esq., IN THE CHAIR.

Mr. *George Hetherington*, called in; and Examined.

Mr. *G. Hetherington.*

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213. *Chairman.*] WHERE do you reside?—In Dublin.

214. What profession or business do you follow?—I am not a professional person as yet.

215. Mr. *Litton.*] Are you an apprentice or articled clerk?—I learned my business of my father; I am agent for a professional gentleman in Dublin, and I conducted my father's business during his lifetime.

216. He was an attorney and solicitor?—He was.

217. I believe he practised a good deal in the manor courts in Dublin?—Yes.

218. In what manor courts?—In the manor of Grange Gorman: one court is held at what is vulgarly termed the "Big-tree," in Dorset-street; and one is held at Kilmainham, Mr. Finlay is the seneschal of that. Mr. Cole, who holds the court in Dorset-street, has a court also at Kingstown.

219. Is there any other manor besides that of Grange Gorman?—Another manor court is held at Kingstown.

220. *Chairman.*] Did your father ever practise in a court called St. Thomas's, in the "Liberty," or in any of the other courts?—No, not in St. Thomas's; I have represented him at Kilmainham, he being for the last few years of his life in a delicate state of health.

221. And at Dorset-street, and at Kingstown?—Yes.

222. Mr. *Litton.*] Did you also represent your father at Carrickfergus, in the county of Antrim?—Yes.

223. You practised there, representing him?—Yes, and at the manor court of Moylinny, which is held at three several places, Doagh, Templepatrick, and Antrim.

224. Where is the court held in those places in the county of Antrim?—In the town of Antrim, it is held in the court-house; in Doagh and Templepatrick, it is held at public-houses, and they are of a very low description.

225. Do you remember any particular case in which the landlord of that public-house was the plaintiff in an action there?—I do; it was the landlord of the house at Templepatrick, in which the court was held; it was a case which struck me so forcibly that I have had occasion to remember it. The court was held in the house of a man of the name of Gawley; I was attending Carrickfergus at that time; I kept an office there for my father, and there was a very respectable farmer committed to the gaol under an attachment issued from the manor court of Ballylinney, the attachment was issued for between 20 *l.* and 23 *l.*

226. Was that the first process that had been issued in the action?—As against him it was; that process issued under an affidavit, which I afterwards saw; he was committed under that attachment for a debt of his father, who died without assets, and without making a will; and there was an affidavit made by the publican in the usual form, that this man was justly and truly indebted to him in that sum, and he was committed.

227. Can you say, of your own knowledge, that the attachment issued from that court to arrest that man, not for a debt of his own, but for a debt of his father?—I can.

228. And that without any proof of assets in his hands?—Yes, upon a mere affidavit of debt. I inquired into the man's case; I went into the gaol to him;

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indeed it was the governor of the gaol who wished me to see him; I said it was quite impossible he could be arrested for a debt of his father, without being executor and having assets; he said it was the case; I was not satisfied with his explanation, and I repaired to the seneschal and read the affidavit; I saw the affidavit was drawn in a wholesale way, which is quite a common thing in that manor court.

229. What do you mean by a wholesale way?—It was an affidavit stating the defendant was justly and truly indebted to the plaintiff in a certain sum of money, and for goods sold and delivered.

230. That was the form of the affidavit?—Yes. The man was very respectable, and he got bail; I gave bail for him, and got him discharged. The proceedings went on in the court, and very expensive proceedings they were; and a day for trial was fixed. From the inquiries I made, and the representations of the defendant, I learned that a fair jury could not be had to try the case, a jury either of intelligence or of honesty; I therefore deemed it better to remove the cause, and I sent to my father to Dublin, and I got a writ of *habeas corpus cum causâ*. When that writ came down, a summons issued (a summary proceeding in the court) against the brother of that man, and they proceeded against him for the very same debt, and both cases came on for trial the same day.

231. At that public-house?—Yes. I repaired there accordingly in the morning with the parties, determined of course to remove the first cause, and make a defence upon the second. It was not until half-past 12 o'clock that the seneschal came; and previous to that I found a great number of suitors, witnesses, jurors, and all, sitting in the tap-room drinking away as hard as they could. I then spoke to the parties for whom I was interested, telling them that I did not think anything in the way of justice could be obtained there; however, when the seneschal came, I delivered the writ; he appeared a very stupid old man, upwards of 70 years of age, and he did not at first understand the nature of the writ. The court was held in the tap-room, it was greatly crowded, and I had to use a great deal of argument to induce him to receive the writ; I informed him of the consequence of his disobedience to such a writ; he however persisted, but my argument seemed to prevail very favourably with the people, who set to abusing the seneschal; they called him all sorts of curious names, informed him he had met with his match, and he began then to return the abuse they gave him, nearly in the same language. It was a scene of the most extraordinary nature; I could not conceive for a moment I was in a court of justice, or anything approaching to it; I however succeeded in getting him to take the writ, and he immediately replied he should have the usual fee of 6*s.* 8*d.*; I of course paid him; at that time the plaintiff, who was the landlord of the house, came up very drunk, and he abused the seneschal very much for receiving the writ; the seneschal replied to him that he need not be sorry at all about it, that he would do justice, and he should make his house the better for it, and out of the 6*s.* 8*d.* he would order as much beer and whiskey. I felt very much surprised. When the beer and whiskey came up, in very great abundance, parties crowded around the seneschal, and he said, "Well, boys, before we empannel the jury to try the cause, I will give you the glorious and immortal memory." We however responded to his toast, and cheered him on; he called to his bailiff then to empannel the jury. I inquired, Would he proceed with the second cause? He said he would. My reason for inquiring was, that the bailiff called among the jury the very plaintiff himself, and the plaintiff insisted upon being upon the jury in his own case, and the seneschal was about to rule it with him. The way they conduct the cases is to try them altogether; they do not return their verdicts in each case, but all at once.

232. Mr. *Lucas.*] You say they try all the cases together; that is, they do not return one verdict until they return the whole; will you explain what you mean by that?—The jury is empannelled, and a civil bill or an attachment case is called on, and they go into the hearing of that case; when that case is closed they call on another, and so on; and at the close of all the cases the seneschal charges the jury upon all the cases, and the jury bring in their verdict upon all those cases.

233. Mr. *Litton.*] Do you mean to say, though they do not actually announce their

their verdict, the parties know nothing of the verdict until all the business is closed?—They know nothing of the verdict in any case until all the business is closed.

234. But do they agree upon their verdict at the close of each case?—I cannot say that.

235. Were you present?—Yes; I saw them whispering together sometimes.

236. Do they take a note of each case?—I do not know that they do. In this manor court no note was taken; no one had a pen and ink but the seneschal.

237. Mr. *Lucas.*] If there were six cases tried in this manor court, and those were all that remained to be tried on that day, would the seneschal, in charging the jury upon the sixth case, charge them also upon the preceding five?—Yes; I have seen that done in other manor courts besides this.

238. Mr. *Litton.*] Can you say positively that the practice of this manor court was such as you have described?—Yes.

239. That there were several cases tried on that day?—Yes; there were 22.

240. And none of the jury had pen and ink?—None. A great number of them were illiterate persons.

241. Is it your opinion that, from the class of persons upon the jury, many of them could not read or write?—Yes. I knew one or two who expressed beforehand how they would bring in the verdict when the case was called on.

242. Do you remember what day this was?—It was in the month of December 1832.

243. On that particular day there were 22 cases tried?—There were.

244. Captain *Meynell.*] Do you mean to say that on the day the 22 causes were tried, the seneschal charged the jury upon the whole 22 cases at once?—He did, and a very short charge he made of it.

245. Mr. *Litton.*] And the jury did not take down in any way, or make any memorandum of the verdict at which they had arrived in each case, as soon as it was concluded?—They did not in my presence. There was one juryman, he was not the foreman, but he seemed to be a man who had some influence amongst them, and he once or twice interrupted one or other of the jury who asked a question of the witness; he would say, "Never mind, boys, I will read the law to you by and by."

246. They did not then take down in any memorandum, or otherwise, the result at which they had arrived in each particular case?—They did not. They came to try the second case I have alluded to; and I called upon them to take particular notice of what one or two of the witnesses said, who were proving non-assets, and the same juryman cried out, "Never mind, boys, I will read the law to you." Hearing that expression caused me to look to see whether he had any law-book, but I found it was not so; it was merely some impressions of his own he was going to read to them. I had even to argue with the seneschal upon the law of the case, that the man was not liable if he had no assets; but I found the jury, who seemed to be particular friends of the landlord, was quite prejudiced against us, and interrupting the case as it proceeded.

247. You have said the plaintiff was a public-house keeper, the trial taking place in his own house?—Yes.

248. And you have said he pressed very anxiously to be upon the jury himself in his own cause?—He pressed to be upon the general jury, and one jury tried all the cases. I expostulated upon his being empannelled at all, inasmuch as he would be a juror in his own cause; and it ended by the seneschal ruling with me, that he ought not to be upon the jury; however, perhaps, three-quarters of an hour were spent in the argument amidst great noise. The people in the court had a fugleman to direct them on to annoy the seneschal; this man was placed upon two or three forms, and the waving of his hand was a signal for them to attack the seneschal. They cried out "Old Williamson, you have got your match;" and he would reply, "You lie, you scoundrel." The scene was so droll, I certainly made very strong memoranda about it; I, however, felt I could not obtain a verdict in the second case, from the prejudice of the jury. I spoke to my client, and said, it was in vain to go on, from the scene of confusion, and the jury being prejudiced; he immediately replied, "Never mind, work your way, they are only going off; I have given them plenty of beer and whiskey, and there is more coming up." I said, "Your case is an

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honest one without that;" he replied, "I could not do otherwise:" in fact, it was his only resource.

249. Mr. *Jephson.*] Did you see the beer and the whiskey going up to the jury?—I did.

250. Mr. *Litton.*] You mentioned before, that some of the jurors told you, before they went into the box, how they would decide; before they heard the case?—Yes, two of them mentioned it to me; in fact, they were to be witnesses, and I thought they were necessary witnesses. One said, "Never mind examining us, we will get upon the jury;" they said, "John (the bailiff) will empannel us." I said, "I would rather have you as witnesses, for I think you are material witnesses;" but their reply was, "We will be upon the jury, and, right or wrong, there shall not be a verdict against you."

251. And did they find a verdict according to what they said they would do?—They did. The seneschal, however, in charging the jury upon all the cases, as I have stated, charged them very shortly. There was a very peculiar case, as I thought it, tried along with the one in which I was interested; it was a case of charging a man with the price of a horse which turned out not to be as it was warranted; and the seneschal, in that case, charged the jury that the man took the horse "for better, for worse," and that the jury should find accordingly; and that no warranty or anything would do when once he had used the horse. The jury found with the seneschal; and in his charge, in the case I have alluded to, the seneschal stated, that, inasmuch as those young men had retaken the father's place, after his death, from the landlord, they became liable to all his debts.

252. Mr. *Jephson.*] How long ago was that trial?—It was in December 1832.

253. Is that seneschal alive, and acting still?—I believe not; he was a very old man. He and the jurors and all were very drunk; I could hardly escape the beer and whiskey that was pressed upon me.

254. The statement you are making now is respecting the acts of a seneschal who is dead, and who has been replaced by another person?—Yes.

255. Mr. *Litton.*] This process of attachment is sometimes issued against the person, and sometimes against the goods?—It is.

256. Mr. *Jephson.*] Are you aware of the practice of that court at present?—No; I have not been there since 1834.

257. Then you cannot corroborate the statement of Mr. Macaulay, that the seneschal who succeeded Mr. Williamson is a more efficient person, and that he is extremely anxious, and does every thing in his power, to make his court respectable?—Mr. Macaulay must be well aware of the state of the court, for he resides in the neighbourhood.

258. Then you think that his statement is very likely to be correct?—Yes; he must have more knowledge of it than I have, for I have been living in Dublin.

259. Mr. *Litton.*] With respect to this process of attachment, it is the first process which issues?—Yes.

260. The goods are seized as in the nature of a distress?—Yes; you may proceed against the person upon a debt over 20 *l.* by the new law, or against the goods for any sum.

261. You mean in that court?—Yes, in all the manor courts that I have known.

262. Have they unlimited jurisdiction?—They have.

263. You have mentioned four or five courts?—Yes.

264. That is the case in all those courts?—It is in Mr. Cole's courts at Grange Gorman and St. Sepulchre's.

265. Now, have you known any instance in which the goods were taken by attachment, and in which the defendant was successful, and yet where some of his goods were never got back?—I do.

266. How did that arise?—I knew one case in which an attachment issued out of Mr. Cole's courts; the goods were taken to a man of the name of Archer, in Dublin, who keeps a store for goods; the defendant gave bail, and of course he got the usual certificate to get back his goods; but he only got back a portion of them, and he could get no account whatever of the remaining part from Archer, and he was obliged to be content with what he did get back. He forwarded up the suit; he obtained a verdict, and was left to his action against Archer for his goods,

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goods, which could not be found; and, Archer being a pauper, he abandoned any action against him, and lost his goods.

267. That was the fault of Archer?—Yes.

268. The seneschal had nothing to say to that whatever?—No, the seneschal gave a certificate for the goods to be got back.

269. Did that arise from an attachment against the goods being the first process?—Yes; that was for a debt of 3 *l.* 6 *s.*

270. *Chairman.*] That was in Mr. Cole's court?—Yes.

271. Do you know where the marshalsea store of Mr. Cole's court is situate?—I heard he had a store, but at this time the goods were removed by desire of the plaintiff to Archer's.

272. He was not the regular marshal of the court?—No; but the regular marshal of the court allowed them to be taken by him.

273. Who was Archer?—A storekeeper in Dublin; he used to receive goods for the late marshal of the city of Dublin, goods seized for rent; that gave him a name; and it probably was the case, when the goods were seized out of the manor court, that they were sent to him, as he had the name of a public storekeeper.

274. But it is not a general custom in the manor court to require that all goods taken under attachment should be given into the custody of the marshal?—No, sometimes they are out on bail.

275. But do they follow the custom of allowing the goods to be given into the custody of other persons?—No; the marshal is the officer who has the custody of the goods; the attachment goes to him.

276. Mr. *Litton.*] And it is his duty to keep the goods?—Yes.

277. The seneschal of course has nothing to say to that?—No; as far as I know, Mr. Cole is a very proper man, and he gives very particular directions to the marshal to keep the goods.

278. Mr. Cole bears a very high character?—Yes; he is very cautious in issuing attachments.

279. And most anxious that the goods should be kept in safe custody by the marshal?—Yes; I have known Mr. Cole, in cases where attachments were applied for, recommend the parties to proceed by summons, and not by attachment.

280. From your experience, which must be considerable, do you not deem it advisable for the ends of justice that the process of attachment against the goods should be put an end to?—It is reckoned a very great hardship; the expense of giving bail is very serious. If a person's goods are seized he may get bail, and they will not be satisfied with the amount; and they will perhaps take everything belonging to him, bed and all, away under the attachment. It is a very severe proceeding, the removal of goods in that way, and the public are anxious to get rid of it.

281. Notwithstanding the best efforts of seneschals, such as Mr. Cole, whom you have described as of the highest character, you have found in your experience that injury and loss sometimes befalls the goods even of a successful defendant?—Yes.

282. But you think, from your observation of Mr. Cole as seneschal, that he has used his best efforts to prevent that evil as far as possible?—Yes, I have known him to do so.

283. And that it is his general object to prevent that evil?—Yes, I am quite satisfied that Mr. Cole, as seneschal, would forego anything he might make by an attachment sooner than the parties should be injured by an oppressive proceeding; I have known him to advise parties to issue a summons, to try the case summarily at once, and forego the attachment.

284. Would that involve a loss of fees to him?—Yes; the proceeding by summons would not cost more than 9*s.*; the cost of an attachment would be 19*s.* 2*d.*

285. I believe there cannot be a man of higher character than Mr. Cole?—No, certainly not; he is a most humane and excellent man. I know in other manor courts attachments are issued, as a matter of course, out of the office; the seneschal knows nothing about it.

286. He is a man in whom the public have perfect confidence?—They have, both as a seneschal and as a magistrate.

287. And he does not suffer attachments to be issued as a matter of course?—No;

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—No; he has always prevented it as far as he can. If the party insists upon it, he must grant it.

288. He has used his best efforts to put an end to that practice?—He has.

289. Is it the practice to make an affidavit of debt?—Yes.

290. Is that universal?—Yes; they cannot get it without an affidavit swearing to the debt.

291. Mr. *Bridgeman.*] Do they also swear that the person is about to run away?—No; it is merely upon an affidavit of debt, without any allegation in the affidavit of danger from the party running away. Some of the affidavits state that the cause of action has arisen within the jurisdiction, others not.

292. Mr. *Litton.*] Now have you known any other instances in which goods were deteriorated or lost that were taken away under an attachment?—I only know that one case.

293. In other manor courts that you have known, have you observed the same disinclination on the part of the seneschal, and the same discouragement given to issuing attachments as in Mr. Cole's courts?—No; in other manor courts I am aware that attachments are issued from the office of the registrar.

294. Without communicating with the seneschal?—Yes. Perhaps you will allow me to say, as I am acquainted with the fact, that Mr. Cole has given directions to his registrar not to issue attachments without consulting him.

295. What courts have registrars?—All the manor courts of Dublin have registrars; the seneschal can appoint his own registrar, who is the officer of the court.

296. You confine that to the Dublin courts?—Yes.

297. They have all registrars?—Yes, all the Dublin courts. Belfast manor court has also a registrar.

298. And you know that Mr. Cole has given that direction?—Yes.

299. But, with respect to the other manor courts, does the registrar issue attachments as a matter of course?—In the manor court of St. Sepulchre, if I brought him an affidavit swearing that a person in that manor owed me a sum of money, he, upon that affidavit, would seal an attachment and deliver it to his marshal, who would execute it, and the seneschal would know nothing of the proceeding until it came to be tried. That is a highly respectable court too.

300. Is Mr. Ratcliffe the seneschal of that court?—Yes.

301. Where are Mr. Kelly's courts situate?—At St. Thomas's and Donore.

302. Do you practise in Mr. Ratcliffe's courts?—No, there are attornies enrolled in that court; it is the only court in which attornies are enrolled; they pay 20 *l.* to be enrolled.

303. Are no other attornies allowed to practise there?—No.

304. Did your father ever practise in that court?—No; but my father has applied for clients to have bail and other things done in that court, and he was obliged to employ an attorney of that court to do it.

305. *Chairman.*] Do you know by what law the seneschal took upon himself not to allow other attornies to practise there?—No, I do not; I know it is the practice in that one court.

306. Has it ever been disputed?—I do not know; I have known attornies who were not enrolled in that court bring in counsel, in order to have their clients' cases, when they were defendants, taken care of, when they could not say a word themselves.

307. In that court then counsel are heard as a matter of course, but not attornies, except those enrolled in the court?—No; counsel are heard everywhere; but no attorney, except he is an attorney of the court, can open his mouth.

308. Mr. *Litton.*] Is that the only court in which there are special attornies?—Yes; I have never known any other.

309. The only court that other attornies are excluded from?—Yes.

310. In the other courts of Dublin, may any man not an attorney, or an attorney's apprentice or articled clerk, conduct the proceedings?—Yes.

311. Are you sure of that?—Yes.

312. Are you acquainted with the manor court of Belfast?—Yes, I am intimately acquainted with it.

313. Has it a very large jurisdiction?—Yes, and the seneschal is a highly respectable gentleman.

314. In that court what class of practitioners may practise?—There are attor-

nies

nies who practise in it; but there is a class of persons in Belfast called agents, or writers, who are not attornies, who also practise in that court; they obtain a procurator's licence, which costs 3*l.*, from the Stamp-office, and under that they enter themselves in the court, and are allowed to practise. They issue attachments, and sign their own names to them; they prepare affidavits, signing their own names; and file declarations signed with their own names; they sign declarations even without counsel, and they plead in that court, and there is more done by them in the court than by regular attornies.

315. With respect to these agents, have they anything in the nature of an apprenticeship, or do they pay the stamp-duty, or anything like a regular licence?—Yes: they pay 3*l.* for a licence, which is called a procurator's licence.

316. To whom do they pay it?—To the Stamp-office. The heading of an attorney's licence is, "Who has not been an attorney for three years," or, "being an attorney, not of three years' standing," or "proctors, procurators," and so on. They therefore take out one of those 3*l.* licences, and enter themselves in this court; there is a sum of money paid to the seneschal for allowing them to practise.

317. Do you know there is a sum of money paid to the seneschal for allowing them to practise?—I do; I cannot remember the exact sum at this moment, but I recollect, just after my father's death, a person introduced me to Mr. Stewart, and wished me to pay him that sum of money and take out a licence.

318. Do you remember about what sum it was?—I think it was somewhere about 10*l.*; I am not quite sure.

319. And is it in the sole power of the seneschal to nominate or refuse to nominate those persons?—I cannot distinctly give an answer to that question.

320. May they be persons without any kind of legal education as attornies?—Yes; I have known attornies' clerks, who, having left their employment, took up this as a more profitable thing; very low and very litigious parties.

321. Who had merely acted as attornies' clerks?—Yes, and who practised in the courts and made money there.

322. Without being either apprentices or articled clerks?—Yes.

323. Then I think your evidence amounts to this: that any man in the community, taking out this 3*l.* procurator's licence, and paying the seneschal such fee as he may demand, may practise in this court at Belfast?—Yes.

324. In point of fact, you have known very low men, who were neither apprentices, articled clerks, nor had any professional education, practise in that court?—Yes.

325. *Chairman.*] What fees do they receive in civil bill cases for attending the court?—I believe 6*s.* 8*d.*

326. Is that charged against the unsuccessful party?—No; they get any sum they agree to receive for defending a person, for making a good defence; if they are for the plaintiff, they get whatever sum is allowed in the bill of costs, which is taxed by the seneschal.

327. You are not aware what the amount of that allowance is, how much the seneschal allows them?—I cannot recollect at this moment; I did not fully prepare myself to be examined to-day. Very low attornies' clerks I have known to be admitted; there are also persons coming from Lisburn who practise in Belfast, as they are proctors of the Diocesan Court at Lisburn; and under their licence as proctors, I have known them come to Belfast and practise there; and some of those persons there, proctors from Lisburn, are really very curious persons indeed.

Jovis, 8° die Martii, 1838.

MEMBERS PRESENT.

Mr. F. French.	Mr. Lucas.
Mr. Litton.	Mr. M. J. O'Connell.
Captain Meynell.	

M. J. O'CONNELL, Esq. IN THE CHAIR.

Mr. *George Hetherington,* called in; and further Examined.

Mr. *G. Hetherington.*

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328. *Chairman.*] HAVE you considered the general condition of the juries in the manor courts with which you are acquainted?—I have.

329. Are you aware whether it is generally customary to summon persons to attend those courts as jurors?—In some courts they summon them under the precept of the seneschal; in others, of the registrar, who signs it by order of the court. In other courts, they are merely summoned, like the coroner's jury, from the persons in attendance, who are sitting in the public-houses, where they are held.

330. In the latter cases, have you found that the persons composing the juries differ much from one day to another, or that they were frequently formed of the same persons?—In some of the courts, particularly the court in Kingstown, they are generally the same description of persons: people take amusement generally in being upon those juries.

331. Where the juries are summoned, does your experience inform you whether they are of a class which you consider to be the best qualified to be jurors?—They certainly are not; they are generally publicans, hucksters, and dairymen, many of them being very illiterate.

332. Do you consider that the class is better in those cases where it is not the practice to summon them?—Indeed I cannot say so; I think they are just of as bad a description. I would state as to the manor court of St. Thomas and Donore, the jurors have been for the last five years nearly the same description of persons, those I have alluded to, publicans, hucksters, and dairymen; and there, where a man may be summoned for a debt he owes to any person in the manor, whatever defence he may have to the case, either legal or equitable, it would be quite impossible for him to obtain a fair decision upon it from those persons who are upon the jury, and who are interested in keeping up the claims which are made there. I have been present, and known instances of that. At the same time, it is but justice to the seneschal to state, that he has charged the jury in every case (I have heard him) fairly and legally, and he has expressed his astonishment at the decision of the juries.

333. Who is the seneschal?—Mr. Kelly. I have heard Mr. Kelly himself, after the court was up, say there was no use in a man defending himself there before those juries. That is not a court held at a public-house; it is held in the court-house.

334. Do you conceive that the state of the law with regard to the want of power in the seneschal to enforce the attendance of jurors is to be blamed for the improper class of persons who are summoned where summoning is in practice, or for the absence of all summonses where the practice of summoning has grown into disuse?—I should say it was the want of power in the seneschal to enforce the rigid attendance of persons summoned by the marshal or registrar who summon the juries, and who summon them in such a way that a respectable attendance cannot be had.

335. You are aware of the Act which gives the jurisdiction to these courts?—I am.

336. That

336. That Act gives a power to them generally to summon juries within the manor, but it gives them no ready method of enforcing attendance by fine or otherwise?—I believe not. In the superior courts, the mode of empannelling the jury is very much improved by the ballot.

337. In the court which you attended at Ballylinny, was it the practice to summon juries at all?—No; the constable there selected the people in the public-house, some drunk and others sober; after selecting them, he brought them up to the table; he put down their names on a slip of paper, and handed them to the seneschal.

338. Do you conceive that the unfitness of the persons to serve on those occasions has had a prejudicial effect on the administration of justice in these courts?—I do, clearly; I should say, without a fair, impartial, and intelligent jury, it would be impossible to obtain justice in any case.

339. The want of intelligence is as great an injury to justice as the want of fairness or impartiality?—Yes.

340. Have you ever known a jury under the usual number to be empannelled in one of these courts?—No, I have not.

341. With reference to the manner in which the jury deliver their verdicts, where the courts are held in public-houses, have they generally a sufficient accommodation?—Yes; there is always one room set apart for the court in the public-house.

342. Have the jury sufficient accommodation, separate from the parties and the bye-standers in the court, either when they sit in the court, or in case of retirement?—They are all in one room.

343. While they sit in the court, are they kept distinct from the rest of the people; and in case they retire, have they a place to retire to?—In Mr. Cole's court at Kingstown, and at his court in Dorset-street, where he sits in a public-house, there is a room set apart for the use of the court; there is no other business done there but the business of the court; and the jury sit on one side of the table, to his right, and they are apart from the rest of the people. It is the same in both those courts. Mr. Cole keeps his juries in very good order; but in other courts, where they are held at public-houses, I saw the jury sitting at the table, and the persons interested in the cases all sitting round about them; and I have known them whisper, and speak to them.

344. Then in case the jury retire to consider their verdict, have they had a separate room?—I never knew a jury in the manor courts to retire.

345. Have you ever known the court cleared for their deliberations?—Once I have; it was in Kingstown. The seneschal came out, and left the jury alone.

346. Have you ever heard of the seneschal clearing the court, and remaining with the jury while they were deliberating on their verdict?—No.

347. Have you ever known, in any case, drink to be introduced to the jurors while they were sitting in that capacity?—In the court of Ballylinny I have.

348. While the jury were sitting?—Yes, while the jury were actually trying the cases.

349. Was it introduced at their own cost, or at the cost of the parties?—It was introduced on the occasion I alluded to, first, out of the 6*s.* 8*d.* I paid upon the writ of habeas corpus; next, there were three persons who were called "new men," who had to pay something for being jurors for the first time. I saw those three persons hand 1*s.* each for having the honour of being put upon the jury, and the drink came up upon that. No more drink came up until the verdict was found, and then the persons who got the verdicts paid 6*d.* a-piece in order to treat the jury.

350. Then did the seneschal himself order up the drink out of the fee which you paid him, after he had empannelled the jury?—That was previous to empannelling the jury, after the argument as to his right to refuse the writ.

351. They were not empannelled until afterwards?—No; the landlord came into the room, and wished to be put upon the jury; he was very abusive, and the seneschal said, "Gawley, hold your tongue; I am going to treat you and all here to beer and whiskey out of the 6*s.* 8*d.*"

352. Are the seneschals with whom you are acquainted, or the greater number of them, men in your opinion properly qualified to fill such an office?

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—I should say some are; Mr. Cole, Mr. Ratcliffe, and Mr. Kelly are gentlemen quite qualified; I should also include Mr. Finley, although he does not hold his court; he rather discourages it. He is chairman of the Kilmainham court; but he is not anxious to promote litigation, and he sits as little as possible; it was formerly held in a public-house; it is not now.

353. Mr. *Litton.*] What does he do if a summons is applied for?—It is not very often that a summons is applied for; people go to the quarter sessions more than they do to the manor court.

354. *Chairman.*] Then in general you may say the seneschals in Dublin and its neighbourhood are men in every respect qualified to fill the office?—Indeed I should say so.

355. To the large towns throughout the country with which you are acquainted, does the same observation apply?—No.

356. Belfast for instance; is the seneschal of Belfast a legal man?—He was a practising attorney, and a very respectable one; he is an old gentleman now; he has given up practice 12 or 13 years; he is a very respectable man, and a very fair man; he holds his court in the court-house of Belfast. However, upon examining the documents before this Committee last Session, I find the return he has made there upon the subject of appeals is not a correct one.

357. In what respect?—He says for three years, 1834, 1835, and 1836, there have been but five reversals upon merits. I do not like to say much in contradiction of an official return, but I should say from my own knowledge he is not correct.

358. Are there any other particulars in which you find that return inaccurate?—No; I have known at one assizes 20, 30, nay more, of his decrees reversed upon appeal in a legal point of view, or upon a legal objection, and that has prohibited a great many of those summonses that used to issue in that court. It was the practice in that court to issue a summons against any person residing in the town of Belfast or its neighbourhood, without stating in the summons or process that the cause of action arose within the manor. There were appeals taken upon that ground; and I have known the judge of assize, at the spring assizes of 1834, to allow 40 appeals upon that ground, the processes not stating the jurisdiction. It was said to have been omitted wilfully for the purpose of summoning and carrying on a profitable business in the court; but when the judge of assize stated that was a legal objection, the practice was abandoned.

359. In the country districts generally, what is your observation as to the character of the seneschals as to intellect and fitness for the office?—In some parts of the county of Antrim, there are seneschals who are neither justices of the peace nor legal men, and there is one seneschal I should be inclined to speak in rather strong terms of. He is a contractor for road-making, and he is also seneschal; he is a very arbitrary man; he is not only a contractor, having people under him to make those roads, but an inspector under some of the gentlemen who have taken contracts; in short he is a great man in his own way over poor men; and as seneschal, he distributes law there as he thinks best.

360. Has he an extensive district?—Not very.

361. Has he been long seneschal?—Yes, some time; it is one of those in the gift of the Marquis of Donegal.

362. Is the district over which he presides the estate of Lord Donegal?—It is a great portion of it.

363. Are you aware whether a considerable proportion of the seneschals in the county of Antrim are not magistrates?—There are a great number not magistrates.

364. And some others are not legal persons?—There are some legal persons.

365. Are you acquainted with any rural manor courts in other parts of Ireland?—No; I have applied myself to the north of Ireland and to Dublin; those are the places I am more intimately acquainted with.

366. You cannot then state whether the seneschals are qualified, either by being magistrates or being legal persons, to discharge the duties of their office, generally speaking?—I cannot, of my own knowledge.

367. Do you think a great deal of mischief may arise from persons of a low rank of life and limited information holding such offices?—Yes, I do, I think that

that is the great evil; the lord of the manor having the power to appoint whom he pleases, he is not bound to appoint a legal person; he may appoint any one.

368. You spoke of appeals; are there in general many appeals from the manor courts which you are acquainted with?—Generally a great number. At the manor court of Belfast the number of appeals is very great, and there is a great defect in the mode of appealing; there is no affidavit taken, there is no money lodged; notice of appeal is given as a matter of form, and the appeal is lodged until the assize; so that a party who may obtain a decree in Belfast for an honest and fair debt in the month of September, may be thrown out by an appeal until March.

369. You mentioned, in the civil bill court at quarter sessions, an affidavit such as you have stated must be made by the attorney for the appellant?—It must, at quarter sessions; the attorney who appears upon the civil bill for the defendant must make an affidavit that the appeal is not taken for the purpose of unnecessary delay; and if the party does not appear by attorney, but defends the civil bill himself, or if he is not there to defend it, he may, by lodging the money, with double costs, with the sheriff, obtain an appeal; but in the manor court there is neither one rule nor the other.

370. In the great bulk of cases in the manor courts where attornies do not practice, do you not conceive the first provision would be inoperative?—I would suggest the parties themselves ought to make an affidavit that they do not issue the appeal for the purpose of delay.

371. Do you think it would be effectual?—They would be bound by their affidavit; they would be liable to an indictment for perjury.

372. Do you not think the other provision would be the better one, that is, lodging the money, or a certain portion of it?—I should say lodging the money, with a certain sum for double costs, for an appeal is attended with double costs, so that would be a security to the party, and would prevent frivolous appeals.

373. Do you really think that the affidavit of the party could be rendered operative to prevent vexatious appeals?—It would always be a question whether the parties had sworn truly or falsely as to the delay, so that it would be very difficult perhaps to ascertain, in the event of an indictment, what was or what was not delay.

374. Then, with regard to lodging the money, supposing an appeal is to be triable at such distant periods as you mention, might not hardship arise to the party against whom the decree was originally obtained, by putting him out of pocket so much money which he lodges in the court for the space of seven or eight months until the next assizes?—It would certainly be a hardship that he should have his money out of pocket all that time, but it is very often the case now that a man is out of pocket his debt for six months.

375. Suppose the law were altered, so as to make the trial of appeals more frequent than at present, would not that in a great measure do away with vexatious appeals by doing away with their object?—Yes, I should say, if they went to the quarter sessions instead of assizes.

376. Would you give your opinion upon this question, whether it ought to be left to the barrister at quarter sessions to decide appeals, or that he should have a jury upon it?—I should say it might be very safely left to the barrister, giving him the power, which he has at present, of empannelling three persons as jurors where he has a doubt himself.

377. Do any seneschals, to your knowledge, throw obtacles in the way of appeals?—I have known Mr. Cole to inquire very minutely into the bail that was tendered. I have known him to interfere where he had some cause; he, being a magistrate, knows the parties who generally become bail in these cases; and I have known him to hesitate, nay, I have known him refuse, to receive an appeal, unless he was satisfied with the bail he got; but I would not go the length of saying there have been any obstacles thrown in the way of appeals. In fact, I think as the law stands the seneschal has not a proper discretion.

378. Mr. *Litton.*] Do you not think it would be the duty of the seneschal to refuse what is called "stag bail?"—Yes, that is what I mean. I know it is the practice to get low people to become bail for hire.

379. You think it is the duty of the seneschal to watch that and prevent it?—Yes; I have known Mr. Cole do that.

 380. *Chairman.*]

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380. *Chairman.*] That was an obstacle consistent with the duty of the seneschal?—Yes.

381. But suppose the seneschal were to decline to receive an appeal unless it were tendered in the court immediately the decree was pronounced; or suppose the seneschal were to keep out of the way of parties whom he imagined intended to appeal for the purpose of vexatious delay; or supposing he were in any other indirect way to throw obstacles in the way of parties making what he conceived to be appeals of that character, do you conceive that he would violate his duty?—Certainly.

382. With regard to bail on appeals, you consider it was the duty of the seneschal in the case you mentioned to see that it was solvent and good bail?—I do.

383. Have you ever known parties to be sued upon their recognizances with regard to their bail upon appeals?—No; I think it is very difficult to do so.

384. Do you think the law might be altered very beneficially in that respect by allowing the suit to be brought by civil bill at the quarter sessions?—I do: I should say the suit being tried at quarter sessions would be more beneficial to all parties, the poor and the rich.

385. In case the party neglected to prosecute his appeal where it was made for the purpose of delay, supposing an action upon the recognizance might be brought against him in the quarter sessions court summarily, would not that tend to do away with the practice of vexatious appeals?—I should say so; I believe at present the quarter sessions have not that jurisdiction.

386. But supposing that jurisdiction were given to the quarter sessions?—Yes, that would be useful; but where the appeal is not entered, or where it is entered and not acted upon, and the decree of the court below is affirmed, the party generally proceeds upon the affirmation.

387. But suppose the appeal is not proceeded with, where it is made for the purpose of delay, and the party pays the debt before going into court, is not a surety given to prosecute the appeal in such a case?—Yes; the bail-bond is that the parties shall prosecute their appeal; but if it is settled, that puts an end to it.

388. But if a power is given to sue parties upon their bail-bond if they do not prosecute their appeals, and there is proof that it is made for the purpose of delay, might not the party having that power to sue prevent his taking the easy terms he now takes to settle the case?—It might, certainly.

389. Have you known any inconvenience to result from the great distance at which appeals are tried?—Certainly, very often.

390. And from the uncertainty at what period of the assizes appeals would be gone into before the judge?—Yes. Allow me to instance a case: there were at the manor court at Antrim several decisions made by the seneschal, and so improperly made, they were appealed from; the parties, both plaintiff and defendant, were at very great expense, and they only obtained, when they were successful, double the costs of the process below, while for their appeal perhaps they had to give their attorney a guinea, and perhaps in some instances to employ counsel, besides their witnesses' expenses; so that in many cases it would have been better for the defendant, however unjust the decree was, to have paid the debt and costs in Antrim, than to come to Carrickfergus with the appeal. I have known a case from Antrim, where the debt was 2*l.* 4*s.*, the defendant felt himself justified in appealing; and the costs of that appeal were upwards of 11*l.* That is speaking with reference to country cases. Now as to appeals in Dublin, there are great delays there also; I may instance a case tried in the manor court of Dublin, we will say in August; until December, that appeal could not be heard, even in Dublin, at the sittings after November Term, and there can be no costs allowed for that to the party; so that if it is a small debt, a person is injured by appealing.

391. Mr. *Litton.*] About the persons who practise in this court, you gave a description of them, on the last day, in the Belfast manor court; have you made inquiries into that subject since?—I have.

392. Do you know how that is now?—The agents that did practise at the time I referred to, four in number, are all dead now but one, who has practised up to a late period, but from some conduct of his, I understand he has been suspended by Mr. Stewart. In addition to what I said on a former day, as to those persons practising, they not only practised as agents in that court, but they

practised

practised also as conveyancers, which gave them a description and character with the persons who employed them. Besides the business they did under the licence they had for practising in that court, signing declarations, and so on, they also drew deeds and conveyances.

393. Do you know who at present practise in that court?—There are two attornies practising there.

394. And are there any persons who are not attornies practising at present?—I understand that Mr. Stewart has prohibited it.

395. What is the cost of issuing an attachment against the body or goods?—It was 19*s.* 2*d.*, it is now reduced to 12*s.* 6*d.*

396. Now will you state the particulars of the practice which exists there with relation to insolvents, and the practice of the seneschals when the commissioners of insolvents are about to visit towns on their circuit?—The insolvent commissioners go round the different towns in Ireland three times a year under the Act of Parliament; there are a great number of persons residing in Belfast, and outside Belfast, and in different parts of the country, and they come up to Belfast for the purpose of going into gaol to avail themselves of the insolvent commission. I know that, and can state cases positively to show that people did go then, and I believe go still; at all events they did go to this town, and they inquired when was the seneschal's court. The seneschal always has a court day to meet the time of the commission; he holds his court every three weeks, but he holds one court most convenient for the purpose of summonses being issued and disposed of, and that the parties might be in custody 14 days, so as to file their schedule; I have known instances in which one man has lent another a few pounds; he has summoned him for it; he did not appear; it was proved by a person sitting by, who saw him lend the money, that he had lent it; a decree issued against him, and the man has come down to Carrickfergus with his own decree in his pocket to be committed; he has filed his petition and schedule, and got discharged, and it was a general term among the people there, "that they come there to pay their debts." It was quite a common thing, that two or three days before the fortnight for filing their schedules and petitions, the gaol of Carrickfergus had within it perhaps 40 or 50 of those persons. The gaol was crowded to excess with persons coming in upon what were called these friendly suits. A person was summoned to prove an I. O. U., money lent, and various things, to get a decree against a man; and I knew one of those attornies, who frequently practised in the court (a Mr. Shanaban, who is now dead), to process people to this manor court in this kind of way. I have known him come down with the defendant whom he had processed, commit him; and I have seen him, in conjunction with an attorney who practised in the insolvent court, get a petition prepared, though he was the attorney for the plaintiff in the manor court, to obtain the decree against the man; he was the attorney for the defendant in committing the man, and he was agent to the man (with the other attorney) for the purpose of getting him through the insolvent commission. Thus, Scotch, English and other creditors who sold goods to these persons, and who had notice by the post, might get them in time to send an order to oppose; but generally they got through the court, and with the adjudication in their pocket they never paid their debts.

397. *Chairman.*] Did you ever know the attention of the commissioners of insolvents called to this?—Yes.

398. And did they interfere with it, or correct it in any way?—I have known the present commissioners look very narrowly into it; and when they have found them in collusion, they have often dismissed the petitions; but I regret to state the former commissioners did not look very closely into it. I knew a case of a very respectable, but a very cunning man, in Belfast, who was one of those agents. He wished to avail himself of the Insolvent Act; he called meetings to arrange with his creditors; pending those meetings, he got himself summoned to this manor court at Belfast; he went down to the gaol under that decree of a friendly creditor; he went in, filed his schedule and petition, being actually in custody; his creditor (who was upon the face of the petition the detaining creditor under that manor court decree), the day after he was gazetted, came down and gave a discharge to the gaoler. He went out, came down to the town of Belfast, called another meeting of his creditors; the creditors knew nothing about his being in custody, seeing him in public; he called another

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meeting of his creditors the day the commissioners were to be at Carrickfergus; he appointed 3 o'clock to meet his creditors; he went down that morning to Carrickfergus, went among the prisoners, and was discharged as an insolvent, being out of custody all the time, except the two days when he filed his schedule.

399. How long ago was that?—That was in 1831.

400. Was he discharged unopposed?—He was.

401. Such a proceeding can only take place in courts where the decree is against the body as well as the goods of the defendant?—Yes; where there is the power in those courts of fixing the goods, I have known persons who have come down to be discharged under those friendly decrees; and when they went down to be discharged, and before their schedule was filled up, another creditor issued an attachment in the same court against the goods, seized the goods, took them into their possession, and saved the goods from being returned in the schedule, and from the assignee; for there is an assignee appointed under the court. The goods were taken in execution under the attachment; they were not returned in the schedule, and could not be claimed by any assignee. All that I conceive to be a very great evil.

402. Mr. *Litton.*] Is there anything else, with reference to the evidence given before this Committee last session, which you wish to observe upon?—Not at present.

Martis, 13° die Martii, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Mr. Litton.
Mr. French.	Mr. Lucas.
The Earl of Hillsborough.	Mr. M. J. O'Connell.
Mr. Jephson.	

MORGAN JOHN O'CONNELL, Esq., IN THE CHAIR.

Mr. *George Hetherington*, called in; and further Examined.

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403. *Chairman.*] ON looking over your evidence are there any observations you wish to add?—There are some of the numbers I wish to refer to in the evidence given the last day: Question No. 378, was as to bail. You were anxious to ascertain the object of appeal; and as the law at present stands there is no affidavit, and any person may appeal for delay or otherwise, as in the evidence you will find they may throw a party out six months without an affidavit; they appeal for the purpose of delay. In addition to that, I wish to state that I have known many cases in which bail were procured for hire.

404. In the manor courts?—Yes.

405. Was this in the country courts or the courts of Dublin?—Dublin. There is a system there of procuring bail in all criminal and civil causes; there are persons there to be had for payment.

406. Is that an evil which is peculiar to the manor courts, or does it not extend to all the courts of Dublin?—It does to all.

407. It by no means flows from the system peculiarly belonging to the manor courts?—It does apply to all the courts; but there is a more ready way in detecting those persons called stag-bail in the superior courts; the officers in taking bail in the superior courts, the notice of bail must be lodged with them 24 hours; they are in the habit of then referring to their bail-book to ascertain whether the persons proposed have been bail before; whether they have appeared and been rejected; and the officer of the court very often detects them.

408. Is there any similar evil found in the case of appeal from the quarter sessions to the assizes, from the civil bill court?—There must be an affidavit that the appeal it is not taken for the purpose of delay.

409. Suppose a person unprincipled enough to swear an affidavit not consistent with the fact?—The attorney is to swear; and he is amenable to the court.

410. Putting the affidavit out of the question, is the system of bail sufficiently guarded against in the quarter sessions court?—I think in the quarter sessions court it is. The assistant barristers throughout Ireland look very closely into every matter wherein an appeal is tendered; and especially when they have any reason, from having heard a case, to think that there is any object for delay.

411. Do

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411. Do they take time to inspect the circumstances of the person who tenders himself?—They do not. The clerk of the peace has more jurisdiction; he is their registrar, and he is generally a person of high character.

412. Does he know the circumstances of all the persons within his jurisdiction who may tender themselves as bail?—He does not, unless there is an opportunity by notice to the opposite party to object.

413. In point of fact, does the opposite party often object?—They do, but they must watch the bail being given; they have no notice.

414. Is there any other part of your last day's evidence you wish to add to or make observations upon?—I stated, in answer to question 384, from yourself, as to whether the appeal to the quarter sessions would be more useful than it is at present to the assizes; you wished to ascertain whether the party could not prosecute their appeal upon recognizance, by suing at the quarter sessions for the amount of the recognizance would be useful in putting down frivolous appeals. I should state, that at present there is no jurisdiction at the quarter sessions as to that. I would suggest, in case you amended the Manor Court Act, that by a warrant of attorney being attached to the recognizance, and a power for the party to enter a judgment in case of the non-prosecution of an appeal or nonpayment, that the party having an opportunity by warrant of attorney of entering such judgment, and proceeding summarily by execution against the bail, would, in a great measure, prevent bad bail, and would also deter persons giving bail where there was not a reasonable cause; it would save the parties from being liable to an offence at the quarter sessions.

415. Is there anything in the other part of your evidence you wish to enlarge upon?—I was asked, in question 390 (the question appears, would there be delay), as to what time an appeal might be tried at the assizes. I think it right now to say, that the judges, of late, have, in the record court, on circuit, gone into appeal cases first, previous to the trying the records, to save the persons the expense of keeping witnesses in town. In the same number I speak of a case at Carrickfergus; an appeal from the Antrim court, wherein it cost the party, the appellant, 11 *l.*, whilst the debt was only 2 *l.* 4 *s.* I wish to give a full explanation of that case, for it was one of very great hardship; and I wish to offer it to show the danger of a manor court of that description existing. These manor courts being open for all litigation, persons are anxious to go to them sooner than go before the assistant barristers; they know, with these bad cases, they would have no chance with the assistant barrister, who is a legal and just man, who, if he had a doubt, would call a jury. They go to the manor courts, where, to use the expression of vulgar people, they say, they can manage matters.

416. Mr. *Lucas.*] Is there not an appeal from the manor court?—There is.

417. Mr. *French.*] To the assizes?—Yes, to the assizes; that is the hardship. The case at Antrim was one: I was intimately acquainted with a very respectable farmer there, a very rich man, who was also a married man; was summoned to that court by a woman who kept an improper house in the town of Antrim, whom Mr. Williamson, I told you of, was the seneschal; he was processed for 2 *l.* 4 *s.* by this woman, stating it was for board and lodging for another person in the house. He repelled the charge (he was a most correct man), but he was thus processed, because it was thought he would settle the thing sooner than go to court; I attended with him and went to the court; it was quite useless, the seneschal began to joke on the matter in a very extraordinary way, and used very extraordinary language towards him, and began to lecture him. As I observed, it was Satan lecturing on sin; however, he read him a very severe lecture, and said he ought to be decreed for more than the amount she sought. The jury would hear nothing; they were all shouting nonsense, noise and laughter prevailed; he was actually decreed; he was so conscious of the injustice and dishonesty of it, that he went voluntarily before a magistrate, and made an affidavit negativing every circumstance connected with it. He then took an appeal to the assizes at Carrickfergus; he had to bring witnesses there, his own servants, and every person who could prove a description of *alibi* to the charge brought against him, which could not be heard in the manor court of Antrim; he came to Carrickfergus to employ an attorney and counsel, that was two guineas; he had four witnesses, two days' lodging in the town, and the assize town is very expensive for witnesses; he had these expenses to pay, and coach hire backwards and forwards. I remember the circumstances, for it was I who made up the account, as agent; all his expenses came to 11 *l.*, he cheerfully paid that, and the decree was reversed before Judge Jebb; and he cheerfully paid that 11 *l.* sooner than pay 2 *l.* 4 *s.*

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418. Mr. *Jephson.*] You say the witnesses would not be heard in the manor court when they were tendered?—Yes; they were refused.

418*. By the jury or by the seneschal?—The seneschal.

419. Mr. *French.*] Do you mean to say the decree was given by the jury without the charge being substantiated in any manner by evidence?—They make very short work of charging.

420. Did they not substantiate this demand against him by evidence?—Yes, there was evidence; and I was going to mention, that person was afterwards prosecuted, and sentenced to 12 months' imprisonment for the perjury.

421. But there was evidence that the jury believed?—Yes.

422. He appealed to Carrickfergus, which was a great distance from Antrim?—Yes.

423. And brought his witnesses there, at considerable expense to himself?—Yes.

424. Were the other party able to go to the expense of bringing their witnesses there?—They did.

425. And on hearing the testimony of both parties the judge reversed the decree?—Reversed the decree; he took a long time. Judge Jebb gave every latitude to the parties to meet the case.

426. So then it took Judge Jebb a considerable time before he made his mind up?—Yes, examining every one of the witnesses for the defendant; for a very extraordinary question was raised there, whether he had a right to go further than the evidence given below. It was contended, and very justly, that there was no evidence given below for the defendant, therefore he was not precluded from going into his case there.

427. Did the defendant produce at the manor court the same witnesses, and did he tender there the evidence that he did afterwards at the assizes?—He did.

428. And they refused to receive it?—The seneschal refused.

429. Did he give any reason for so doing?—He treated the case from the description of it quite in a cavalier sort of way, and made use of most extraordinary language.

430. *Chairman.*] Do you wish to add anything more?—I spoke in answer to question 396, of the system, and very great abuse, practised in Belfast about the Insolvent Court; I spoke there as to the seneschal court sitting at a very convenient time for persons to be friendly processed to the court, to go down to the goal to take the benefit of the Insolvent Act. I stated in that evidence that the parties have gone down themselves with agents and friendly bailiffs, and so on. Now I have considered these matters since, and in the absence of my own books and papers, which I did not think of bringing, I have renewed my memory on the subject; and I have known cases wherein this manor court has began its sittings one day, and from the great press of business in order to obtain these partial decrees, the court has been obliged to sit for three days, and I have known cases on the third day; and that was the very last day for sending up by the mail the schedules and petitions to be filed in Dublin of these insolvents. I have known, when the seneschal was sitting on that third day, and the decrees making out as fast as possible, that, before the mail would leave the town of Belfast, attornies who practise in the insolvent court, while the matter was pending, so as to commit from the seneschal court, schedules being filled up in an attorney's office in Belfast—I have known insolvents to sign their schedules, and pay for them to be forwarded by the mail that evening, and yet they have not been committed into actual custody till 10 or 11 at night. I have known it quite the common course at the gaol of the county of Antrim, up to 11 and 12 at night, for persons to be crowding, on the last day, to send to Dublin, to file the schedules, and such schedules gone to Dublin before they were committed, though the Act of Parliament says they must be in actual custody. I wish to say this to show that the manor courts are open to so much fraud, though the seneschal may not know anything whatever of it; and this exists in the town of Belfast to this hour.

431. Mr. *Jephson.*] Does there exist a strong feeling at Belfast against the manor court you have been describing?—Yes, among respectable people.

432. Have they evinced the strength of that feeling by sending forward petitions to the House of Commons to alter or abrogate this?—I am not aware; I have known meetings in the town of Belfast to devise measures, if possible, to put an end to the system.

433. Mr. *French.*] Are you aware there was a petition very numerously signed

signed from Belfast, three sessions ago, in favour of the court?—I am not; I know there is a very strong feeling against the court.

434. The Earl of *Hillsborough.*] What description of persons were they at this meeting?—The first merchants at Belfast.

435. *Chairman.*] Against the whole of the court, or the abuse of the court, as to what you mentioned about the insolvents?—The abuse of the court.

436. Is the feeling you mentioned against the general system of the court, or the one particular abuse you mentioned?—It would apply more as to the principle I have mentioned of the insolvents; there is on an average, I will be under when I say, 150 fraudulent cases every year.

437. Mr. *Jephson.*] Of fraudulent arrests?—Yes.

438. Supposing that abuse to be corrected, should you say there would still exist a general feeling in Belfast against the existence of the court?—I could not go the length to say that; but I know this, that the merchants of Belfast give instructions to their attornies for processes at the quarter sessions more than to manor courts.

439. You are aware the process requires less expense in the preliminary steps than in manor courts?—Yes, you issue process for 6 *d.*

440. And in the manor court it requires an outlay of several shillings?—Six shillings and two-pence, I believe; you serve a process for 6 *d.*, and the party has an opportunity of settling the debt before it goes to a hearing; if it goes to a hearing, then it is 5 *s.* 10 *d.*, the decree and all.

441. However, is there an opportunity of recovering the debts by process?—Four times a year at the quarter sessions, and if you will allow me to say here, if the quarter-sessions' jurisdiction was extended to six times a year, then you would have the manor courts virtually abolished, for the parties would seek recovery of their debts there; they look with great confidence to the assistant barristers.

442. Mr. *Jephson.*] In the return of cases tried during the last year by this court, it appears there were 392 tried, and 450 entered for trial, under what is described civil bill process?—Yes.

443. Does not that show that persons who wish to recover their debts have great recourse to this court?—Belfast has a very large population; and I would say that the merchants of Belfast, I say it unhesitatingly, give directions for processes, and make out lists every three months, and give these lists to attornies to process these persons. It is a lower description of persons who apply; publicans, &c. who go to the manor court.

444. Persons who require to recover their debts at an earlier period than would be wanted by the merchants?—The merchants do not process persons by suing in that court.

445. Is not one of the great advantages of this court its being held frequently?—It is, for quick recovery.

446. As there are so many attornies in Belfast, and of course so much intelligence in a town of that size, would not the number of causes entered for trial, and the number of cases tried, and the number of cases of appeal, and the number of reversals of those appeals, be a very fair test of the value of this court?—Respectable attornies do not practise in that court.

447. As there are so many attornies in Belfast, and of course so much intelligence in a town of that size, would not the number of causes entered for trial, and the number of cases tried, and the number of cases of appeal, and the number of reversals of those appeals, be a very fair test of the value of this court?—I was about to answer it by stating, there are only two attornies practising in that court, the other attornies do not practise in that court.

448. As there are so many attornies in Belfast, and of course so much intelligence in a town of that size, would not the number of causes entered for trial, and the number of cases tried, and the number of cases of appeal, and the number of reversals of those appeals, be a very fair test of the value of this court?—I should certainly go so far as to say it would.

449. Might not a person who considers himself aggrieved by a decision of this court have recourse to the assistance of any attorney in the town, whether that attorney was an attorney practising in the court or not?—Surely.

450. The seneschal of this manor, in a return made to this Committee, has made this answer: "The number of appeals actually tried cannot be ascertained, as a list of those cases is made out by the registrar of the judge of assize, which remains with him, nor can it be stated the number of reversals; but the seneschal of this manor is confident that, during the whole three years, there have

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have not been more than five reversals on the merits of any decree or dismiss pronounced in the court;" have you any reason to believe that that statement of the seneschal is untrue?—As far as he states the merits, I am satisfied it is true; for I think Mr. Stewart above making an incorrect return.

451. That answer, then, goes to this effect, that out of about 1,000 cases tried during the period of three years, to which his return refers, there have been not more than five cases reversed on appeal on merits?—Yes.

452. Does not the question of an appeal being dismissed on the merits involve the question of ignorance of the law on the part of the seneschal, or the misdirection of the jury?—It might occur more from misdirection.

453. What other cases would be dismissed on their merits other than misdirection on the part of the judge, or a description of cases which did not come within his jurisdiction having been tried in the court?—The question of jurisdiction would be purely a legal question.

454. What other description of case would come under the head of being dismissed on merits?—Where there was misdirection, or where the party defending made out on the appeal a good and honest case, it would apply closely to the merits of it.

455. Are you aware of appeals from the assistant barrister's court?—I am.

456. Have appeals from the assistant barrister's decisions ever been reversed on their merits?—Often.

457. Do you suppose, that, taking the 1,000 decisions of an assistant barrister during three years, the number of five reversals on merits would be a very extraordinary number of reversals?—No, I would not say it would be an extraordinary number.

458. Then you do not think this a very extraordinary number of reversals of the decisions of the seneschal in Belfast?—I do not, on merits.

459. *Chairman.*] May there be any other cases or decisions reversed upon appeals, not on merits, which still may tend to impeach the accuracy of the seneschal's law or the justice of the decision?—Yes; I say there were a great number of appeals, as I before stated in my last day's evidence, to the judge of assize; and the question of appeal was, that the process issued from the manor court did not set out that the debt accrued within the manor. I want to show that these processes issued at that time, without regarding that matter of jurisdiction, and therefore brought a great deal of business to the court. Since the judge decided that that was necessary to state in the process, Mr. Stewart has given direction that summonses should not be issued unless that was done.

460. Have there been any reversals of decrees on other points of law save that which you have mentioned?—Not that I am aware of.

461. Mr. *Jephson.*] The witness has stated that the number of cases tried in this court have lessened since the decision of the judge of assize he has mentioned; is he aware that this does not appear from the returns made to this Committee, inasmuch as 366 were tried in 1834, 339 in 1835, and 392 in 1836?—It ought to be less, certainly, for I have known them to decrease very much.

462. *Chairman.*] The manor of Belfast extends over the whole town of Belfast?—It does.

463. Does it extend over the whole Parliamentary borough of Belfast?—I should say it would.

464. Do you know a district of Belfast called Ballymacaret?—Yes; it is in the county of Down.

465. Do you know that district?—Yes.

466. That is to all purposes in the town of Belfast, is it not?—Why, I believe it is, under the Reform Bill.

467. There was a separate manor court for Ballymacaret?—Yes; there is a manor there called the Manor Court of Holywood, it is held in Ballymacaret.

468. Is there not an inconvenience found from the town being divided into these two jurisdictions?—There is inconvenience; the portion of people that live in Ballymacaret are a very litigious sort of persons; they are mostly weavers, and persons whom I should from experience speak in rather strong terms of.

469. Mr. *Litton.*] What, against them?—Yes; the manor court is held there; a Mr. Waterson, a respectable attorney, is seneschal of it; and though it is a loss to him, he has used every exertion in his power to virtually abolish the court. He has a son, an attorney, who, though the father is seneschal, and has a good practice in the court, opportunities have been often afforded to issue process in that court, and have the case tried before his father, his father has directed

directed him in no one instance to issue a process in that court wherein he would be the judge; he holds an office in Belfast, and when persons have come to him to obtain process for that manor court, he has advised them against it, to his own prejudice, and entreated them to take out summonses for the quarter sessions to be held at Newtownards, where they could recover them at a much cheaper rate; he has done this to his own prejudice. He also discontinued in a great measure the issuing of attachments against goods; he is one of those seneschals who are anxious to put down the courts they hold themselves. Mr. Clarke, of Dublin, the seneschal of St. Patrick's Close, has actually closed his court; Mr. Finlay, who has a good district, he has nearly closed his court.

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470. Mr. *Jephson.*] What is Mr. Finlay's profession?—A barrister.

471. An assistant barrister?—He is.

472. Then, in closing the seneschal's court, the business would go into the assistant barrister's court?—Yes, but not his; he is a barrister at Kerry.

473. If these courts were abolished generally, following the example of the metropolitan courts, the business would flow at once into the assistant barrister's courts?—It would.

474. The Earl of *Hillsborough.*] What is the reason you find so much fault with these weavers; is it that they are more litigious than the people in other parts of the country?—They are very litigious.

475. Are not the farmers very litigious also?—Yes; but that is a district where they are all lawyers.

476. There are a great number of respectable farmers in that part?—Not in the town of Ballymacaret; about the district there are highly respectable farmers.

477. Do the farmers hold more land there than in any other part of the country?—They are highly respectable farmers in that neighbourhood.

478. *Chairman.*] You only mean it to apply to the low population among the weavers of Belfast?—Yes.

479. Mr. *Bridgeman.*] Do you know, of your own knowledge, that decrees have been obtained in manor courts that could not be obtained in courts of law?—Yes, I do, positively; I am quite satisfied persons go to the manor courts with processes, and to prove them there, who would be ashamed to show their faces before the assistant barristers.

480. The Earl of *Hillsborough.*] That is the great use of them, it prevents them going to the assistant barrister's?—Yes; and a stronger reason is the description of the jury. I say persons would go and proceed with a process in one of those manor courts; I do not apply myself to one particularly; they would go there having a greater hope of success than they would before the assistant barrister, who would go with cases they would not bring before the assistant barrister.

481. Mr. *Bridgeman.*] Not having a legal claim?—Yes.

482. Mr. *Litton.*] What were you going to state?—I have known combinations to a very great extent in Belfast; I have known when every trade in the town of Belfast has turned out for wages; they were acting in connexion with the tradesmen in England. There were public-houses; I can speak of one of them; there were public-houses that were opened at the time by the body, and these public-houses had breakfasts and dinners; they drank to any extent, and there were payments on Fridays to the families of those tradesmen who turned out. The town of Belfast was in a frightful state from the system that was carrying on; the men were walking about idle and getting drunk, the police-offices were filled in the morning with assault cases and others; trade was injured. I have known afterwards in the manor court of Belfast these very publicans process the secretaries of the societies for the amount of drink and refreshments afforded them in these houses. In justice to Mr. Stewart I state, that I have heard him in many of these cases charge the juries that this was a most pernicious system—I use his words—and he should look very narrowly into the matter; yet, notwithstanding, I have known juries, many of whom were closely connected with the publicans and tradesmen, return verdicts contrary to his charge.

483. Mr. *Jephson.*] By that, you mean to impugn the system of the juries in this court, and not the seneschal?—Certainly.

484. Mr. *Litton.*] Did you understand that Mr. Stewart's charge was, that these debts were actually illegal contracts?—In some cases he stated they were illegal; he went more to state it was a pernicious system.

485. How would this be illegal; suppose there is a combination in the town, and these combiners go into a public-house and order refreshment, and eat and

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drink there, what defence could they have against an action?—The defence in many cases set up by the secretaries themselves was, that it was tippling; a man would call for some whiskey, some punch, and things of that kind, in small quantities.

486. There is no illegality in that, unless it is Sunday?—Sundays and every day they were at it. I have known the assistant barristers not to make a decree wherever there was a system of drunkenness, or encouragement of the lower orders to be drunk and get tippling.

487. Did Mr. Stewart, in any case, charge that by reason of the illegality of the combination these sums were not recoverable, or was it merely under the Tippling Act?—It was partly under the Tippling Act. He also charged that it was an encouragement to so much drunkenness, and so much vice, by people being crowded in their houses drinking apart from their families; it was a very pernicious system, and he called on the jury to check the evil.

488. *Chairman.*] Have you known actions brought upon election bills in other courts?—Yes.

489. Has that doctrine been laid down by the judges of those courts?—These cases apply very closely to this; they are not recoverable.

490. Was it proved in these cases that the secretaries of the unions or associations, or whatever they were called, had ordered these refreshments from the publicans who processed, and had made themselves responsible for the payment?—Just so. The societies were held in these houses; they issued to different persons tickets; for the return of these cards and tickets they were accountable to the publican.

491. Mr. *Litton.*] Have you ever known actions brought in these courts for illicit whiskey delivered by any individual to others?—No, I have not.

492. On which the duty had not been paid?—No, I have not.

493. Do you know any other cases than those you have described, than tippling, in which the subject-matter of illegal contracts has been the subject of suits, on which there has been a recovery notwithstanding?—Yes, I have known such cases, not applying to the town of Belfast, but speaking as to other manors.

494. Do you know in any other manors cases of that description?—Yes; I have known in a manor court a man to be processed for the amount of a promissory note; that promissory note was passed for the purpose of procuring an *alibi.*

495. Do you mean for the purpose of unjustly procuring perjury?—Yes, unjustly procuring perjury. I have known that promissory note to be sued for, and the handwriting proved; and I have known it contended that the plaintiff was not bound to go further, and that the defendant was bound by it. And I have known it to be relied on in some cases that the proof of the handwriting was sufficient for the value given, and the description of the value; notice was served to prove the value; and the description of value proved was that the bill was discounted, and the cash given to different persons; and I have known decrees in manor courts upon that.

496. Did it distinctly appear to the knowledge of the holders?—Yes; and I have known that reversed on appeal. There was a case very lately in Dublin. A Mr. Armstrong was beaten by combinators, and there were 12 men there procured for money to prove an *alibi*, and they did prove the *alibi*, and the men were acquitted. And I know, of my own knowledge, that one of these persons, from the search I have made, one of these persons tried on that day, who got off on the *alibi*, was one of the party at the outrage, and of course there has been a consideration whether they will sue on that or not; I merely state it.

497. *Chairman.*] Do you wish to add anything further?—I would wish, as you seemed the other day to understand a good deal of the matter of attachment against goods. I am prepared to-day to state to you, as to the different courts, and the practice of different courts, the hardship and evil resulting from these attachments, which you seem to have a feeling against. Many of you gentlemen seem to think attachments are not carried on to the alarming extent they are. If these manor courts that are held in Dublin were either amended, and there was an opportunity of going to the quarter sessions in these matters, it would prevent attachments being issued. In one manor court in Dublin attachments are carried on to a great extent; I mean that of St. Sepulchre's; and also a proceeding is followed in that court which is very reprehensible in my opinion. An attachment is issued from the court of St. Sepulchre's against goods. That attachment is procured in this way: the court is not to have discretion, in the first place, to issue an attachment against the goods; they must proceed

proceed by action against the party, and cause an action to be served; it is never served in that court; the party knows nothing of it, and a return is made by the marshal of that court of *non est*. The attachment could not issue without that return; therefore the marshal of that court actually gives a false return: he gives a return upon that *capias* of the court, that the party is not to be found within the jurisdiction of the liberty or franchise of the court. The party knows nothing of this; but on that return, on an affidavit of debt, an attachment walks into his house against his goods, and takes them away to the marshal's store until bail is given. The bail, however, in that case, becomes bail for the goods; but there is another court in Dublin where bail is given, the plaintiff may lose altogether.

498. What you complain of is, the false return the marshal makes; is there not any oath taken?—No.

499. Nor does any harm arise to the defendant in the suit more than what arises from the issuing of attachment in other cases without that form?—I should say it was the intention to proceed by serving the man with an action, and giving him four days to pay the debt, or appear to it. He would have an opportunity of appearing; now he gets no opportunity. No action is served on him; but the action issues, and a false return is made on it.

500. In the other court is notice given before the attachment is issued?—No.

501. Then is there any other harm than the common one which pervades all our system of law, of fiction and unmeaning forms of that kind?—But that is a fiction of great hardship.

502. Take the next court in which attachments exist; the city record court, or of St. Thomas?—It issues in the same way there.

503. The fictitious action is there commenced?—It is.

504. In the city record court, you say there is no notice of attachment at all?—No.

505. What hardship is there in one case more than another?—I will tell you how a creditor may be completely ousted in the city record court: there is a feigned action on the return of *non est*; an attachment issues; his goods are taken to the marshal's stores; he procures bail; when bail is given, he turns it into a personal action. It differs from all the other courts. When the persons give bail, they relieve the goods for a time; but their bail-bond says, that they will surrender the party to the marshal of the Marshalsea, of the city marshal, or pay the amount of debt, and such costs as may be awarded. When bail is given, the plaintiff files his declaration; the case comes to trial, and the recorder sits four or five times. There is three months' (in the first place) loss to the party.

506. I do not speak of the hardship of the city record court; but, from the system of feigned actions in the court of St. Sepulchre, what hardship is there further than other manor courts, where attachments issue without notice?—I do not say hardships exist in that court more than others; I say it exists in them all, where attachments of that kind are issued.

507. That hardship arises, not from a fiction of the law, but from the absence of notice that the attachment is going to be issued against?—Yes, and the public are generally against them.

508. The hardship is not confined to St. Sepulchre's, but includes them all?—Yes.

509. Is that fictitious writ and feigned return common to other courts?—The city record court, in Dublin, I have mentioned.

510. Are there other manor courts in which the same form is followed in issuing of attachments?—There are no other manor courts that issue attachments at once without any feigned action.

511. If notice were given of the issuing of such attachments, might not a fraudulent debtor make use of that notice to evade his creditors, supposing attachments to be good things in themselves?—He might remove his goods, certainly.

512. Would not the system you mentioned defeat the very object for which the attachment is framed?—By the removal of the goods, of course; but what I say is, the affidavit merely stating the debt is due, is not enough; it ought to give notice, and say the party is about leaving, or danger is to be apprehended; they are reckoned most objectionable proceedings. In the city record court there is great hardship even to a plaintiff who may have a just debt; then, when

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the recorder comes to try the case three months after, when the jury are about to be sworn, a writ of *habeas corpus cum causâ* is issued, the record is stopped; that may be the first Thursday in January, the writ is returnable the next term; the party there has a rule entered to give bail above; the party does not give bail, and a *procedendo* issues; the record goes back, and the court does not sit till July; the party does not appear on the trial, the plaintiff gets a verdict; what does he do? the defendant goes and gets a manu-captor; he goes to the city marshal with his bail, and he surrenders, and though the bail relieves the goods, the bail are exonerated from the goods, and a litigious defendant defeats the plaintiff's claim.

513. Mr. *Bridgeman.*] Do you know that these attachments are often obtained by vindictive persons to harass the debtor?—Yes.

514. And are very annoying?—They are.

515. In most cases do you not know it is done for that purpose?—I do, and, without a letter of attorney applying for the debt, attornies practise in the city courts; I say these attachments are for the purpose of very oppressive proceedings.

516. For annoyance a man gets angry with another, and goes and gets an attachment?—Yes.

Mr. *Maurice Leonard*, called in; and Examined.

Mr. *M. Leonard.*

517. *Chairman.*] WHERE do you reside?—At Listowel, in the county of Kerry.

518. Are you acquainted with any manor courts in the neighbourhood of your residence?—Yes.

519. What are their names?—The Manor Court of Listowell, the Manor Court of Ballylongford and of Lixnaw.

520. Are all those courts in active operation at present?—Yes.

521. Who is seneschal of Ballylongford?—Mr. William Sandys.

522. A professional gentleman?—A barrister.

523. Can you acquaint the Committee why it is no return has been made by Mr. Sandys to this Committee, to their order of last session, or the renewed order of this present session, on the subject of the proceedings of that court?—No, I cannot.

524. How often does he hold the court?—I believe once in three weeks.

525. Are you aware what is the peculiar jurisdiction of his court?—I think 6 *l.* Irish is the limit.

526. Who is the lord of the manor?—It is college property I believe. Mr. Launcelot Sandes is the person who appoints the seneschal; it is in his gift; he has a large college property in the neighbourhood; it is called the manor of Carrickfoyle.

527. Have you ever practised in any of those courts?—Yes.

528. In which of them?—Frequently in Listowel. I have been once at Carrickfoyle and the Ballylongford court.

529. As to the jurisdiction, have you seen the returns sent by the seneschal of Listowel?—Yes.

530. It appears the jurisdiction amounts to only 40 *s.*?—Yes.

531. Have you seen a return of the places over which the jurisdiction extends?—Yes.

532. Do you know most of the places mentioned in this return?—Almost all.

533. Making allowance for the difficulty of spelling names, and for the change of names since the time of the patent, do you believe them correct?—Substantially correct.

534. Does the manorial district extend over the ancient estates of the Earls of Kerry, the former lords of the manor?—I rather think not.

535. Not over the whole?—No.

536. In the Listowel court it is stated that the most distant place is about four miles; that being so, it is quite impossible it should extend to the limit of Lord Listowel's estates, which run to the borders of the county of Limerick?—I have known an instance of a person being processed to the manor court of Listowel, who was not within the manor; nor is the name of the farm given in that return of Mr. Fitzgerald's.

537. What

537. What is the name?—Killihiny.

538. This process being pretty well known, do you find that in practice the proceedings of the court are confined to those places mentioned in the patents?—I have often heard persons complain that they have been processed to that court at Listowel, and objected invariably by saying the place was not within the manor.

539. Have you ever known an appeal to take place on that ground?—Never; I have heard there is a great difficulty in appealing.

540. How does that difficulty arise?—There is an objection, I rather think, on the part of the seneschals to receive it. I have known a seneschal to be processed for neglect in one case.

541. For neglect in taking appeals?—For refusal to take it, and for informalities, if the appeal is lodged.

542. Have you ever known a decree against him on that ground?—No; there is a difficulty in proceeding against the seneschal. We should be prepared to show that he is seneschal; and we never can be prepared, because we cannot get at the copy of the patent. We should show, before bringing it before the court, that he is a seneschal; that we could only show by producing the patent, or an attested copy of it.

543. Mr. *Jephson.*] Would not the fact of his having tried the cause be sufficient evidence against him?—No. I have with me a civil bill process, which was served on the seneschal at Ballyhighe, and returned at the last Listowel sessions. I was concerned for the plaintiff in that case, and we failed for want of proof: we could not show it was the seneschal.

544. *Chairman.*] Will you deliver in the process?—[*The Witness does so.*]

545. Mr. *Jephson.*] Do you mean to state, that the fact of the seneschal having prepared a certain bail-bond, and that bail-bond having been paid for, and turning out to be so incorrectly drawn as to be of no avail, that that was not sufficient proof of his having drawn it, without proving that he was seneschal at the time?—My knowledge arises from this, that I was attorney for the plaintiffs, at the sessions, in that civil bill which I now hand in (*Vide* Appendix). I moved in the case, and I was called upon to show that Mr. Crosby was seneschal.

546. Is he the son of Colonel Crosby?—The son of the late Colonel Crosby; I could not show that, and the process was, consequently, dismissed: the barrister held I was bound to show he was seneschal.

547. Mr. *Litton.*] Did you offer evidence of his having acted as seneschal?—No, I did not; I was stopped at once.

548. Did you propose to adduce evidence?—No, I do not recollect that I did; you perceive, we served a notice even upon Crosby to produce the bond.

549. Was it produced?—No.

550. Then you were what is called nonsuited?—Yes, dismissed.

551. *Chairman.*] Who appeared for Mr. Crosby?—I rather think Mr. Supple.

552. He appeared by attorney?—Yes.

553. Was the objection taken by his attorney in the first instance?—At once.

554. The assistant barrister of Kerry is a gentleman tolerably conversant with the law on this subject, is he not?—He is.

555. Is he not himself seneschal of the liberty of Kilmainham?—So I understand.

556. Did he, immediately on the question being raised, decide in favour of it?—At once.

557. Mr. *Jephson.*] How much had you to pay for the bail-bond so informally drawn, as you say?—I knew nothing of that till the process was handed in to me.

558. Mr. *Litton.*] Are you sure that the ground on which the assistant barrister dismissed that, was that you did not produce the patent or the letters appointing him seneschal?—Yes, showing him as seneschal.

559. Mr. *Jephson.*] Can you account for the sum of 8 *s.* 8 *d.* having been charged for the bail-bond, as stated in this process?—No; that came to me 18 miles; the man who processed lives 18 miles from my residence. He came to me in the way of business, and handed me that civil bill; I entered it, and moved on it in the court.

560. Then you were dismissed, in fact, because you had not the evidence that was requisite to prove your own case?—Yes, to show that he was seneschal. If I might mention, if it was an action against a churchwarden, there we would be

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bound in the same way to show he was churchwarden; we should produce different papers and the act of vestry to show that he was churchwarden, before we would make him liable.

561. Did you make any inquiries in what respect this appeal-bond was so deficient in form as to fail?—No; but I know from my experience at the assizes that more than one-half of these bonds are informal.

562. In what respect?—In the filling up of them; the parties get no relief in consequence.

563. Are they not generally printed?—Not in the distant manor courts they are not; they are partly printed.

564. Do you believe there is a sinister motive on the part of the seneschal to fill them in badly?—I think it is from inexperience and ignorance; I do not say he does it from corrupt motives at all.

565. If it frequently happens that cases are defeated from want of proper forms, surely the most ignorant person would soon be able to ascertain the proper form, if there were no sinister motive?—They are never present at the assizes when these cases are tried; they do not know in what point the bonds are informal, nor do they wish, in my opinion, to make themselves acquainted with the proper forms.

566. Can you state the description of informality, which is the general cause of these bail-bonds being defeated?—Not entering into the proper securities; the proper sum not being specified in the body of the bond, the sum required by Act of Parliament.

567. Is there a form given by Act of Parliament?—There is; I know, before Serjeant Green, several of these bonds were knocked up; the parties had no appeal in consequence of the informality.

568. Do attornies practise in this court in which these appeal-bonds are so informally drawn?—I am speaking of a district in which there are five or six manor courts; in this court of Ballyhigh, I rather think no professional gentleman attends there.

569. *Chairman.*] Are you acquainted with the reason why the process is for 4 *l.*?—It is optional with the attorney, he may go as high as 10 *l.*

570. Do you think 4 *l.* fairly claimable?—I cannot say what the barrister might give him.

571. What was the amount of the decree against him?—I have not the decree.

572. You know that the jurisdiction of that court is only as to debts of 40 *s.*?—I do not know the jurisdiction of Ballyhigh court.

573. Would the damages given in such a case generally include the expense of the journey to a county town, and the support of his witnesses there?—Yes, and for loss of time.

574. So that it does not signify what the amount is?—No; with respect to that civil bill, the gentleman who filled that is at this moment in the House. I was speaking to him in the lobby, Mr. Justin Supple.

575. Have you known any other cases of processes against seneschals, which have failed in a similar manner to what you have mentioned?—No; I recollect there was one process against Mr. Fitzgerald, the seneschal of Listowel. I do not know what was the issue of that.

576. Was it on a similar ground?—I have heard so; I have heard that Mr. Freeman, at Kilarney, decreed the seneschal of that manor.

577. On similar grounds to the one you have mentioned?—Yes.

578. Are you aware whether, in that case, the appointment of the seneschal was produced?—No, I am not.

579. But have you ever known appeals made from the decree of the seneschal, on the ground of his having exceeded his jurisdiction?—No.

580. What do you mean by complaints of exceeding jurisdiction, that have not been made? What do you mean by saying no complaints of exceeding jurisdiction have been made since his appointment; do you mean, exceeding the pecuniary amount?—Yes, I mean pecuniary jurisdiction.

581. But as to his local jurisdiction, you have heard of complaints of his having exceeded?—Yes.

582. The places mentioned in the return appear to be the names of townlands?—Farms and townlands.

583. Are there not many sub-denominations belonging to the townlands, though vulgarly or ordinarily called by other names?—Yes, there are.

584. Is

584. Is there ever a doubt whether a particular field, a sub-denomination, belongs to one or another of the townlands?—I do not think there is; when I spoke of the farm of Killihiny, it is at a greater distance from his manor; it is seven miles from his manor of Listowel.

585. That is three miles further than is mentioned in the return as the greatest distance?—Yes, fully three miles; Derryvine is in the barony of Clanmorris; Killihiny is in the other barony in the manor of Listowel. It is at Ballybunion, on the sea coast.

586. It would appear the manor of Listowel does not extend much toward Abbeyfeale in an eastern direction?—No, it does not.

587. Then there are large portions about the country of Listowel that appear to be extra manorial?—Yes.

588. Have you ever known complaints made on behalf of the inhabitants of those districts of wanting a speedy means of recovery of small debts, the manor being carried further than the districts that are within it?—I know in doubtful cases they would much sooner have them tried at the manor courts than at the quarter sessions. For instance, suppose a publican brings an action for whiskey sold, he is dismissed at once before the assistant-barrister; he cannot maintain the action; he invariably resorts to the manor court, where he finds relief.

589. Though the seneschal is a person of legal knowledge?—Yes.

590. Is it a leaning on the part of the seneschal, or on the part of the jury?—I rather think in consequence of the encouragement given by the seneschal.

591. Do you find complaints made by persons without the manor, of the want of a speedy recovery of small debts?—No.

592. Do the districts mentioned here of Listowel lie about the town on every side?—No, up and down in the barony; the property of Lord Listowel is in several parts of the barony.

593. Do the districts mentioned in the return from that manor lie generally about the town of Listowel?—They do not.

594. Are any of them altogether detached?—They are.

595. Are they all at present the estate of one proprietor?—I should have the names read before I can state that.

596. You know the fact that the whole of the country, formerly the estate of the Earl of Kerry, is divided among four or five proprietors?—Yes.

597. Looking at the return, can you state whether it is now the estate of one proprietor or more?—One farm belongs to Mr. Bateman, another is the property of Mr. Loch and some tenants of his, another is the property of Mr. Peirce Mahony.

598. Looking at them again, can you say whether they lie together in one place, or whether any of them are detached from the rest?—Some are detached, and some lie together; two or three of these farms bound each other.

599. In the case of those which are detached from the rest of the manor, is there a large interval between them?—

(*The witness was requested to look over them, and answer at the next meeting.*)

600. Are you aware whether the same lord of the manor of Listowel has not another manor in the western district of the barony of Clanmorris?—He has.

601. Is his seneschal there a legal person?—No, a farmer.

602. He has not been very long appointed to preside over that court?—No.

603. Was he appointed by the present or the late lord of the manor?—I rather think the late lord.

604. Was it the late lord also who appointed Mr. Fitzgerald to the court of Listowel?—Yes, it was.

605. How long has Mr. Fitzgerald filled the office?—Since 1829 or 1830.

606. Can you account why it was that the same person appointed in one of his manor courts a legal person and a respectable attorney like Mr. Fitzgerald, and the other a farmer with no professional knowledge?—I rather think that that appointment came through the agent.

607. Who was the appointor?—The late Lord Listowel.

608. You think it came through his agent?—Yes.

609. Are you aware whether much of the manor of Ardfert is the property of the Earl of Listowel?—I am not aware.

610. Where is the court of Listowel held?—It was held, since Mr. Fitzgerald became seneschal, at one time in a public-house, afterwards in his own granary.

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611. His granary was fitted up for the occasion?—No; it is now, where we hold the sessions.

612. In the room in which the sessions are now held, but which previously was used as a granary?—Yes.

613. How long was it held in a public-house?—I cannot exactly say how long, but I know I practised at one court held in a public-house.

614. Where is the court of Leinow held?—I do not know the house.

615. Have you ever practised there?—Never.

616. How far is that from Listowel?—Five or six miles.

Jovis, 15° die Martii, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Mr. Jephson.
Mr. M. J. O'Connell.	Mr. Lucas.
Mr. French.	

M. J. O'CONNELL, Esq., IN THE CHAIR.

Mr. *Michael Cullinan*, called in; and Examined.

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617. *Chairman.*] ARE you a Solicitor?—I am.

618. Where is your residence?—In Capel-street, Dublin, and at Ennis, in the county of Clare.

619. Do you practise in local business in the county of Clare?—Yes, at quarter sessions.

620. Have you ever been on any occasions engaged in manor courts in the county of Clare?—Not for the last 16 years, I think.

621. Previous to that period you were?—Very little. I never went there, except for some respectable client of mine.

622. Are you acquainted with many manor courts in the neighbourhood in which you reside?—With all of them.

623. State to the Committee in what manner you are acquainted with them; are there appeals coming from their decrees, or suits coming into the quarter sessions courts, or what brings them to your knowledge?—Through appeals chiefly; and also in consequence of suits arising in the quarter sessions court from litigations commenced in the seneschals' courts; through appeals chiefly; and the complaints of the country people of the proceedings in those courts.

624. What are the courts in your neighbourhood; state the names of the manors, the lords of those manors, the persons who exercise the office of seneschal, and where the courts are held?—Lord Egremont has the principal manorial rights in my county; the jurisdiction of his seneschal extends over a very great portion of the county. The Bishop of Killaloe exercises manorial rights there; Mr. Vandeleur, of Kilrush, has manorial rights; Mr. Brady, of Raheens, and Lord Thomond. There is Mr. Gloster, that has established manorial rights recently, and exercised them.

625. Is that the manor of Castlebank?—Yes.

626. Who is the lord of that manor?—I think Mr. Gloster claims that manor in his own right; it is only recently revived; it has been dormant for a long time; those are, I believe, the principal and only manorial courts in Clare.

627. Who are the seneschals?—A person of the name of Colpoys is the steward of Mr. Vandeleur; Colonel O'Brien is the steward of Lord Egremont; Mr. Roughan is the steward of Lord Thomond; Mr. George Gloster, junior, is the seneschal of the manor of Castlebank; whether he is the steward of his father or not, I do not know; for I do not know which has the patent; Mr. Michael Martin is the seneschal of the Bishop of Killaloe; Mr. John Hewlett is the seneschal of Mr. Brady's manor.

628. Do you know whether Mr. Martin, the seneschal of the Bishop of Killaloe, is a clergyman?—I am quite sure he is not.

629. Is he a magistrate?—He is.

630. Have you seen the evidence given by Mr. Roughan on the subject of manor courts?—I saw a small portion of it; I think I saw one day's examination.

631. You have not seen enough of it to see whether it is generally correct?—I have not. I did not look at it with any attention.

632. There

632. There are several manors belonging to Lord Egremont, are there not?—Very many.

633. All of those Colonel O'Brien presides at?—He does.

634. Do any of those courts sit in the town of Ennis?—Yes, occasionally Colonel O'Brien sits there.

635. For what manor?—The manor of Clonroad; I believe Clare and Clonroad are united.

636. Is the manor court of Bunratty ever held in the town of Bunratty?—I believe it is; I am not certain; but I know the seneschals do not confine themselves to holding the court in any particular place; they go from one place to another to hold the courts.

637. Mr. *Lucas.*] Do they make the change at irregular times, or have they stated times for changing the place?—I am better acquainted with Colonel O'Brien's manner of doing business than that of any other seneschal in the county. He takes to-day at Clare perhaps, and to-morrow at Crusheen, and then another day at another place. I think the courts are held monthly in each manor.

638. Does Colonel O'Brien vary irregularly, and without notice, his places of sitting, or has he fixed times for sitting at the different places?—No; his manner of doing that is, he proclaims at one court where the next court is to be held within that manor; he holds a court next day at Clare; then he says the next court for this manor will be in such a place at such a time.

639. There is no regular fixed place?—No; but there is notice posted in different parts of the manor of the different places for holding the courts.

640. Do you conceive that arrangement to be dictated by a regard to the convenience of the tenants of the manor, or the personal convenience of the seneschal?—I think it is intended for the convenience of the tenants of the manor; for I think the court is the best place to apprize the suitors of the time and place for holding the next court.

641. You do not conceive it is from the personal caprice of the seneschal?—No, I do not; I think it is intended for the convenience of the suitors.

642. Probably you would consider it better that the places for holding the courts should be various, and the times should be fixed?—I think so; I have not a doubt about that.

643. *Chairman.*] Do you conceive that if it appears on the returns that no regular answer has been made by Colonel O'Brien to a query, requiring the greatest distance from each of the places of holding the manor court, that may have arisen from there being no fixed place for holding the court?—I think it very likely, for he holds it in various places; he sometimes holds a court in the town of Clare, more frequently there than anywhere else; sometimes in the town of Ennis, at other times at Newmarket, and other times at Crusheen; they are all in the manor of Clare and Clonroad, I believe.

644. With regard to the local jurisdiction of those courts, generally are they well defined?—No, not at all, but the contrary.

645. Are they generally in possession of the patents creating those manors, in which the names of the places in the manors are set forth?—The patents are all lodged in the peace office of the county, in which the seneschal exercises his jurisdiction in right of the patent, that is, an attested copy of it; the original patent, of course, is not there.

646. Are there any courts in Clare held by prescription without patent?—None that I have ever heard of, nor do I believe there are any.

647. Are the old names given in the patents always distinctly understood to this day?—By no means; but the contrary.

648. Should you be surprised to hear a seneschal state that he was unable to read his patent, being written in cramped latin?—I have seen a seneschal unable to read his patent before a judge of assize; on being called on to point out a particular place, I have seen him unable to do so.

649. Have you ever known a decree of the seneschal to be reversed on appeal, on the ground that the place where the defendant resided was not within his manor?—That has been upon our circuit, I think, the most constant cause of the reversal of the seneschal's decrees; they have not been in one case almost out of ten able to show jurisdiction when called upon to do so, because the townlands have changed their names since the grant of the patent, and they are now known by different names from those contained in the patent.

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650. Mr. *Lucas.*] Might it not happen that the seneschal might be perfectly well acquainted with the privileges given under his patent, though he could not read it in law text?—I have not conveyed my meaning exactly; the hand-writing I saw him unable to read was not at all in law text, but a fair copy in English character of the patent; he was not able to read it, not being a person sufficiently educated to do so.

651. Was it in the English language?—No, in the Latin language, in the modern English character.

652. Might not a seneschal be wholly ignorant of Latin, and yet be very competent to perform the duties required of him, and acquainted with the limits of his manor?—The seneschal I am speaking of does not read Latin; but I do not think he is competent, for other reasons, for the office.

653. Do you consider his not being able to read or understand his patent in Latin a disqualification?—I think it unfits the particular individual for his situation.

654. You think his being unable to read the patent under which he sits, in consequence of its being in Latin, shows that he is not a fit person to exercise the office of seneschal there?—I do.

655. You are surely aware that many of our old statutes are in Latin?—Yes.

656. Do you think the body of magistrates in Ireland are generally capable of reading those old statutes, and interpreting them, in Latin?—I believe they are all now published in English.

657. They have therefore other means of information?—Yes; I have seen the oldest statutes which exist in the English language.

658. Has the seneschal no other means of informing himself of his duties than by consulting the Latin?—He may get a translation.

659. Is he not obliged to furnish a constat to the clerk of the peace of the county?—He is.

660. Is not that constat in English?—I rather think it must be an attested copy of the patent in the language in which the grant is contained.

661. You have already stated in your evidence, that an abstract of the patent is by law lodged with the clerk of the peace of the county?—Not only an abstract, but a full copy.

662. You are not sure whether that is in English or in Latin?—I cannot say.

663. It may be in English for aught you know?—It may be; but my impression is, that it is not.

664. If it is in English, the seneschal has as much power of knowing his duties from that English copy as he would from the Latin?—Yes.

665. In the court you speak of, are there any privileges different from the usual privileges of manor courts?—In the case I am speaking of I never read the patent myself, but I have heard the seneschal say that his jurisdiction was unlimited in amount; however, I have never seen him exercise jurisdiction beyond the statutable limit, that is 10 *l.* Irish: though he claims to have the right, I never knew him to exercise it.

666. *Chairman.*] What court is that?—It is Lord Egremont's.

667. Mr. *Lucas.*] Are there not sufficient means in the power of any person of ordinary education of informing himself of the duties of a seneschal of a manor, without having recourse to the patent which is in Latin?—Indeed I do think that persons of ordinary education have the means of ascertaining what are the duties of a seneschal.

668. Mr. *Maher.*] What are those means he has?—Common intelligence, his reason, and experience.

669. Intelligence from what source?—The course of business; business in general. A very trifling knowledge of law would fit a man for that situation.

670. *Chairman.*] As far as the names of places are concerned, does it make any practical difference whether they be in Latin or in English, provided the characters can be read; does the putting them into Latin alter their termination or their spelling, so as to make it difficult to ascertain them?—I am not aware that the name of any place in any of the counties near me is written in Latin; on the contrary, I am quite satisfied it is not. The names are chiefly derived from the Irish; they are anglicised, if I may use the expression.

671. Have you ever known a seneschal to complain that the constat lodged in

in the office of the clerk of the peace was not a correct copy of the original patent?—Never.

672. That constat is always considered by the judges as legal evidence of the boundaries of the manor, as far as the same can be ascertained?—In my experience, what the judges require, in the event of an objection being raised to the jurisdiction, is this, they require the seneschal to prove that the name given as the residence of the parties in the process is contained in the patent; and if the seneschal fails to show that place contained in the grant, then the judge finds the seneschal has no jurisdiction. The boundaries are not delineated in the patent at all; but the patent contains a grant to hold these courts in certain lands named in the patent, naming the townlands, without describing them by boundaries.

673. Mr. *Lucas.*] The boundaries of those townlands are generally known?—Perfectly, in general.

674. In very many instances, in Ireland, they have been subjected to one public survey?—I do not think there is any well authenticated survey of any part of Clare at present.

675. *Chairman.*] Are the manors, in general, the estates of the lords of those manors?—I do not think they are; they have retained the manorial rights, but parted with the estate in them, in a great many instances; they are held in fee-farm in a great many instances, by several persons, under the original grantee. All they retain is the manorial rights, and a nominal rent, which is called a fee-farm rent in many instances.

676. Do you know whether the seneschals do or not look at all to the decision of the judges with regard to the question of boundaries?—The question of boundary has never been raised in the county before a judge at all.

677. With respect to jurisdiction, supposing the judge to decide that a certain place was not within the boundary of a particular manor, do you know whether the seneschals at all submit to their decision, or have you known the contrary?—Uniformly the contrary. They take upon themselves to exercise this jurisdiction, knowing the decision of the judge, that they could not establish the jurisdiction.

678. Have the goodness to read Question 5094, and the three questions following that, in the Minutes of the Committee of last Session, with the answers?—[*The Witness read the same.*

679. Do you believe the practice mentioned by one seneschal to be peculiar to him, or common to others?—It is common to all I am acquainted with.

680. Have you ever known that practice proved before a judge of exercising jurisdiction in defiance of a previous judgment of the court?—I do not remember having seen that brought under the observation of the judge; the reason of that is, that probably the attornies in the cause have forgotten it before the question arises again.

681. In what places are the courts by Colonel O'Brien held?—He holds them in Clare; he holds them in Ennis; he holds them at Cragbrien.

682. In what sort of houses?—In public-houses generally; indeed I think I may say altogether.

683. Does he hold them always in licensed public-houses?—I believe so; but I am not certain of that, for I have not attended those courts for 16 or 17 years.

684. Do they find those public-houses the cheapest places to hold them in?—Yes. They get rooms in those public-houses for holding the court for nothing; for it is an inducement to the spending of money in those houses by persons assembling there.

685. Practically, is there a great deal of money spent on the court-days?—A great deal; there is a good deal of drinking.

686. A court-day is almost as good a day for the publicans as a fair-day, perhaps?—Yes; it is a very good day. Fair-day, court-day, and market-day are good days for the publican.

687. Are the juries generally summoned to attend those courts, or do they attend voluntarily?—The habit is, when the seneschal comes to a town or village where the court is held, he has what is called his bailiff or marshal; he sends this person out, and he requires the attendance of a parcel of people out of the street; they have no regular summons, but attend on this invitation.

688. If summonses were issued, would the seneschal generally have the power

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to enforce them?—The seneschal has the power to enforce fines, which are to be levied by a sort of roundabout way.

689. In what way?—By a civil bill.

690. Have you ever known that done?—No, never.

691. Is there process of attachment in the courts you are acquainted with?—Not against the person, but there is against the goods; a distringas against the goods; it is termed by some persons distringas, by others distringo.

692. Do you think that those proceedings by distringas are in good or bad repute in the country?—In very bad repute.

693. Do cases of hardship arise?—Cases of gross hardship, and of almost uniform perjury; a distringas, in nine cases out of ten, I have known to be founded on perjury.

694. There is an affidavit required?—There is an affidavit required that the party is about to leave the manor, and that the plaintiff's debt is likely to be lost if it is not granted. I have known this granted where there was no danger of the party leaving, or the debt being lost. When a poor man's property is laid hold of under those distringases, he would rather submit to an arrangement, and pay the money, than litigate it, because he cannot release the distress without getting bail, which may be out of his power in many cases.

695. Even if he does get bail, are the proceedings more expensive than a civil bill proceeding?—Yes.

696. In itself you consider it a bad power, provided it is not properly guarded against. If it were guarded against, by requiring evidence that the party is about to leave the country, and by simplifying the proceedings; if it were, as in some courts in Ireland, that after the goods were bailed, the further proceedings should be by civil bill suit, might it not in some instances be useful?—Yes, I think it might be, if the power were exercised *bonâ fide* when persons are really about to leave the manor; if it were soundly and discreetly exercised, it would be sometimes useful.

697. Supposing it were required the party should bring evidence before the officer to convince him that there was danger of the loss of the debt by the party leaving?—That would be a great improvement.

698. Do the shopkeepers in the town of Ennis derive advantage from the manor court?—I have not known them to resort to it since the quarter sessions have become frequent; no respectable persons have recourse to it; latterly it is only where persons seek to recover demands that are not fairly due I have known them go there at all.

699. Is the seneschal of this court a man of legal knowledge?—No, but the contrary.

700. Was he a magistrate?—He was.

701. How long is it since he was removed from the commission of the peace?—I should think three or four years.

702. Was it on account of his being a seneschal he was removed from the commission of the peace?—Certainly not.

703. Can you state what the reason was?—By reason of his having taken the benefit of the Insolvent Act. If any person takes the benefit of the Insolvent Act, and the Lord Chancellor's attention is called to the fact, he is removed.

704. Has he, since his discharge under the Insolvent Act, renewed the security he is bound to give under the statute?—I rather think he has not.

705. Do you consider that the seneschal is a person who can exercise a proper control over the juries in his court?—By no means; they are under no control; I have occasionally looked at them when they were at Ennis; I have walked in to amuse myself with their irregularities.

706. Have you been much amused?—Indeed I have, very frequently.

707. Does he ever charge the juries?—Oh, never.

708. Does he always swear a full jury?—Yes, in all cases where the sum sought to be recovered exceeds 5 *s.* Irish; but in all cases where the sum sought to be recovered is under 5 *s.* there is no jury at all.

709. He decides that as a sort of court of conscience?—Yes, and on the sole and unsupported testimony of the plaintiff.

710. Is that the practice only at Colonel O'Brien's court?—It is not, for I know Mr. Roughan does the same; I have never been in any other seneschals' courts but those two, except merely, perhaps, for a minute or so.

711. Do you know under what authority they claim the power of deciding in this way?—They found it, I believe, on usage; there is no such authority granted to them by their patents; they claim it from its being the custom of their predecessors.

712. Are their decisions ever appealed against?—Very frequently.

713. Have they generally been confirmed on appeal?—I think the decrees of the seneschals are in nine cases out of ten reversed on appeal.

714. Mr. *Jephson.*] Is that remark general, or does it apply to a particular manor?—It applies to the whole county.

715. If such were the fact, it would appear by the returns, if the returns were correctly given?—Yes; I have no doubt if the returns are correctly given, that fact will appear; those appeals are much fewer in number than they would be if there was a facility of appeal.

716. What difficulty is there in appealing?—The seneschals throw every difficulty they can in the way of lodging appeals.

717. In the manor of Clonroad, Colonel O'Brien returns that the number of cases tried in 1834 were 250; in 1835, 198; and in 1836, 185; that the number of appeals during the years 1835 and 1836 were 21; the number tried, 10, and the number of decrees reversed, 3; how do you make that agree with the statement which you just made, that in nine cases out of ten the decrees are reversed?—In nine cases out of ten, where there is a hearing, they are reversed; and I am perfectly satisfied that is not a correct report; I have seldom seen a decree of this court sustained, except where the appeal was informal, and the decree was then sustained, because the judge had no right to question the proceedings at all.

718. Then your inference is, that the seneschals have stated that which is false to this Committee?—I have no doubt, with regard to the manor of Clonroad, that the return is incorrect; I think it right to state, that I attribute the incorrectness of the seneschal's report to his infirmity, rather than to any design on his part to mislead the Committee; he has had two or three apoplectic fits.

719. Mr. *Lucas.*] You state that you doubt whether there has been a survey of the county of Clare?—I rather think there has not; it is in progress just now.

720. Did not you mention the seneschal of the court leet of Killone?—No, I did not.

721. Are you acquainted with that district?—I know the locality exceedingly well; but I think that belongs to the manor of Clare; it is within a mile and a half of Clare; that is divided from Mr. Roughan's manor.

722. Are you aware that Clare was surveyed in the Down survey?—I am not.

723. The title of Thomond is the proper title, is it not?—It was Lord Inchiquin.

724. The Earl of Inchiquin was raised to the Marquisate of Thomond?—Yes.

725. The Marquis of Thomond was formerly Earl of Inchiquin?—Yes

726. Will you look to that record of the forfeited lands granted to the Earl of Inchiquin; does not that appear to be a survey?—It is morally impossible that this could be a survey of the country; because I know those townlands, and their contents are in some cases five times more than they are stated here to be.

727. You were not aware that such a survey as that existed?—No; I am quite certain the barony of Burren was never surveyed; that is Lord Thomond's; my reason for stating that I do not conceive there has been any correct survey, is on account of the inequality of the manner in which the county cess is laid on and collected.

728. *Chairman.*] You say that in the manor of Clonroad the jury is generally of the full number?—Yes.

729. Have you ever been in a court where there was not a full jury?—Never; I remember a very long time ago, perhaps 16 or 17 years ago, decrees of seneschal's being set aside, on appeal, for not being pronounced by a full jury; and I believe that is the reason why they have since had a full jury.

730. You have not read Mr. Roughan's evidence, in which he stated that he used to empannel five or seven persons on a jury?—No; I was not aware of such a practice.

731. And that his reason for doing so was, because he had seen the resident barrister proceed with a jury of three?—That is always done by consent, when it is done; he must summon 12, if it is required; but sometimes they have preferred having three, it being less difficult to procure three than 12 intelligent persons.

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732. Are the class of persons who attend on those juries respectable?—No; the contrary.

733. Are respectable persons averse to be summoned on those juries?—Decidedly, they would not attend them.

734. Is it generally the practice in these courts for the jury to retire to consider of their verdict?—I think they very seldom do retire, they most generally pronounce their verdict without much hesitation, one way or another.

735. When the court sits in the town of Ennis, is it in a public-house?—No; in the court-house of the town.

736. There they occupy the grand jury box?—Yes.

737. Do they get any refreshment in court?—I never saw it in Ennis; but I am aware that they get it elsewhere.

738. Have you ever seen them sitting in other places?—Yes; I have.

739. Do they often sit in the public-room of a public-house?—They sit in what is used as a public-room, when they are not there; but it is cleared out for their purpose while they are sitting.

740. Are they generally kept separate from the by-standers?—No, I think not; people are all round, suitors, witnesses and all, in all directions, and in conversation with them.

741. Have you ever remained any time in one of those courts?—Not for some years back.

742. Do you know whether it is generally their practice to give their verdict on the determination of each case, or to wait until they have a batch of verdicts to give altogether?—I have always seen them give their verdict in the courts I have attended immediately after the close of the case.

743. You have once or twice practised for particular clients, who have been concerned in those courts?—Perhaps three or four times in the course of my life.

744. Do other attornies of respectability decline practising in them, as well as yourself?—I do not think there is any attorney in our county who does practise in them, except on particular occasions, for respectable clients.

745. Do other persons practise in them?—Yes.

746. What sort of persons?—They are persons who have a mere smattering of education; they can read and write; they have that advantage over their neighbours; they go in and practise there for persons who employ them.

747. Have you ever known the bailiff of the court practise in the court?—I do not believe that they practise as attornies, but they interfere, and their interference has more weight than it ought to have; if the bailiff says, I know so and so, that goes further in some instances with the jury than the oath of a respectable witness; and they will interfere in that way constantly.

748. The jury are not of that legal class to discover what is evidence and what is not?—They are of the most ordinary class; I dare say half of them cannot read or write; they are altogether illiterate; I have seen jurors that could not speak English.

749. If the evidence is given in Irish, that would be of no consequence?—No; there are a number of persons who do not speak English, who are as intelligent as those who do, certainly.

750. Do the parties give drink to the jury, as a means of procuring their favour?—Yes; it is quite a constant habit to treat the jurors.

751. Do they ever do that while the business is going on?—I recollect once a jury retiring, and only once, in the whole course of my life; and that while they were in the jury-room they got in punch from some of the parties concerned.

752. Did you see that yourself?—Yes; I think it was 14 or 15 years ago I saw it, at Ennistymon.

753. Have you ever heard of a seneschal giving the jury drink at the termination of the business?—Yes, that is quite a constant practice; to encourage them to act with some decency, he tells them if they are good boys he will give them a drink when their work is done.

754. Are the seneschals able to keep order and regularity in their proceedings?—Certainly not.

755. They have no police in attendance?—No; their precepts are quite disregarded; it appeared to me that drink was more frequently given to encourage them not to be contumacious, than anything else.

756. Have you seen any disorderly conduct in the court?—I saw Mr. Whitestone

throw

throw an ink-bottle at Mr. Aston Green, who was practising as an attorney before him, which struck him on the forehead.

757. What was the occasion of that?—Some offence given in his address to the judge.

758. What resulted?—A great deal of abuse between the gentlemen concerned, and it ended in a bottle of smoke.

759. Of what manor was he seneschal?—He was the predecessor of Colonel O'Brien.

760. Mr. *Jephson.*] What was his character as a judge?—He was a very good judge when he was sober, but that was very seldom; he was almost constantly drunk; he was a very honest man, and a very intelligent one when he was sober.

761. *Chairman.*] Has not it been the case, and not seldom, that men who have filled those offices, from seeing the bacchanalian habits of those courts, sometimes imitate them?—I know of only one instance of it in Clare; I think all the other men are men of proper habits, so far as temperance and sobriety are concerned; there is one instance to the contrary.

762. Have you ever seen a seneschal in a state of intoxication in his court?—I never have, except the poor gentleman I have mentioned, Mr. Whitestone; but I have seen a person, now a seneschal, very constantly drunk in the daytime, before dinner; and I understand, and do believe, it is his habit to be so in his court.

763. You mean before you dined?—Yes, and I believe before he had dined; the principal of the gentleman I allude to is endeavouring to remove him in consequence of his habit.

764. Has he the power of doing so?—That is disputed; the seneschal insists he has no power, but I understand that the patentee, upon referring to the appointment of this individual, finds the appointment is made during pleasure, and that he is about to remove him if he can, though the other insists that he has no power to remove him during good behaviour.

765. Intoxication, in your part of the country, is understood not to be inconsistent with good behaviour?—Not for this situation; he insists, that notwithstanding this habit, he is entitled to retain his office.

766. You stated that there was a difficulty thrown in the way of lodging appeals?—It is very great.

767. Is that by the operation of the law itself, or by an abuse of the law on the part of the seneschals?—By an abuse of the law on the part of the seneschals, to avoid the reversal of their decrees.

768. How do they throw this obstacle in the way?—They generally avoid seeing those poor persons who have occasion to lodge appeals; they go out of town immediately after the court is over, and when they go home, and those poor persons have to follow them to their residence, perhaps 10 or 12 miles, and bring their sureties, then probably the seneschal is in the house, and will not be seen. I have been obliged to write repeatedly to them to insist they would accept the appeals for the poor people.

769. Have you known of appeals being carried ready into court for the purpose of being proceeded on immediately?—Yes, they have tendered their sureties in court, for the purpose of avoiding having to follow the seneschal through the country, and my clerk has filled up the appeal, and had it ready.

770. Does your clerk prepare appeals for clients of your own, even though you may not appear for them in the court?—In fact I do not interfere at all in the preparation of those appeals; my clerk does it on his own account; I have nothing to do with it; it is a thing between the suitors and my clerk. They say that the object of preparing this appeal is, that they expect no justice in the first instance, and to avoid being obliged to follow the seneschal through the country from place to place.

771. If seneschals have complained in this Committee of appeals being prepared in that way, is that attributable solely to the difficulties those seneschals throw in the way of their appealing?—I think it is attributable to two causes, one that which I have stated, the other, that persons lodge those appeals very constantly, knowing they ought to pay the money, but in order to get time till the next assizes.

772. If the seneschals did not throw these undue obstacles in the way, do you think the law is faulty from the difficulty of appeal, or that the difficulty lies on the other side of the question?—I do think there is no difficulty in appealing, except those created by the seneschals; and that the facility for appeal-

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ing is too great, because there is no obligation put upon the party, at the time of his appealing, except the having to give security for the debt and costs, in the event of the decree being affirmed; and those persons who are decreed, very constantly appeal, in order to get time for paying the money.

773. If appeals could be fairly taken at the manor courts, do you think it would be an improvement to give the trial of them to the assistant barrister at the quarter sessions, instead of the judge at the assize?—It would be a great advantage to all parties, for they would have a decision very soon, and there would not be unfounded appeals lodged; the final decision would follow the original decision so quickly.

774. Mr. *Bridgeman.*] Are not the persons who sue in those courts, in general persons of bad character?—The plaintiffs are generally considered persons of bad character; it is generally persons who are supposed to have unfounded demands who go there.

775. *Chairman.*] Has the seneschal a direct interest in the quantity of business in his own court?—Decidedly; his emoluments are derived from that.

776. Do you think, particularly with men who have no knowledge of law, that has the effect of inducing them to encourage suits, which other judges would not encourage the bringing in their courts?—I am quite satisfied they are anxious to increase the business in their courts, in the best way they can.

777. Do you attribute to the same cause the wish to extend the jurisdiction beyond that decided to be their legal limits?—Yes, that is the reason they go on lands never included in their patent, for the purpose, of course, of increasing their business.

778. Mr. *Bridgeman.*] Without any care whether their decrees are set aside?—Without the least.

779. Mr. *Lucas.*] Do you say you have known instances of seneschals going out of their legal limits?—Yes; I am perfectly sure of that.

780. Mr. *Bridgeman.*] Are not those courts called the plaintiffs' courts?—Indeed they are.

781. And is not the opinion of the country that the seneschal's decree in favour of the plaintiff for the purpose of bringing business to their courts?—The general opinion is, that they are more favourable to the plaintiff than to the defendant; that the plaintiff has a better chance of succeeding than the defendant in their courts.

782. Do you know any instances of the ends of justice being defeated by the obtaining a distringas or attachments?—I know the people very constantly submit to impositions in consequence of having their goods distrained under those attachments or distringases; sooner than leave their cattle in pound, or so on, they pass the plaintiff a security, payable at two or three months.

783. Do you know of any instances of men escaping from criminal punishments in consequence of those distringases?—I know an instance of a cow-stealer escaping conviction, in my opinion, entirely by means of a distringas.

784. Have the goodness to state that?—I know a case where a man was indicted for cow-stealing; I was concerned as attorney for the man, and he confessed to me that he stole the cows; I thought this a very extraordinary thing for him to mention; but he said, The fact is so; I asked him why he did so; I said, You are a man that could not be supposed, from your station in the country, and the quantity of land you hold, capable of this sort of thing; I asked him what defence he intended to rely upon; he said, I mean to rely on it, that I took these cattle under a distringas, and that the person whose cattle they were owed me money, and that I took them under a distringas. Had you a distringas? said I. He said, No, but I can procure it; and I shall have it antedated. This was in the time of the gentleman I mentioned, Mr. Whitestone, a good many years ago. He (Whitestone) had two daughters, both of whom are now alive; one the wife of a captain in the army, and the other the wife of a medical man. Those two ladies resided in the town. They were in the habit of signing and selling these distringases as constantly as their father; they put their father's name to the distringas, and received the emolument for it. The morning this man was to be tried for the offence, he procured one of these distringases from one or other of these ladies; and it was pretended on the trial, and evidence given of the fact, that the cows were taken under colour of that, and the man escaped

escaped in consequence; that distringas was signed that very morning only by one of those ladies.

785. Mr. *Lucas.*] Did you see the distringas?—I had it in my hand; it was given in evidence for the man.

786. Can you state whether it was ante-dated by one of the ladies, or the prisoner himself?—It was written out and ante-dated by one of the ladies on the morning of the trial. I must say that the seneschal was no party to this at all; it was the act of one or the other of the ladies.

787. *Chairman.*] Were you surprised to see that exhibited in court?—I was a little surprised at the contrivance to escape.

788. You considered it rather sharp practice?—I did.

789. Mr. *Bridgeman.*] Do you believe that similar things have been done in other cases?—Nothing of that kind has ever come under my observation since.

790. *Chairman.*] Does the practice exist still of issuing those attachments by other persons than the seneschal himself?—I know another instance at present prevailing, where the son of the party signs distringases, and issues processes, putting his father's name to them.

791. Is he an officer of the court in any way?—No, he is not.

792. He is a person totally irresponsible?—Yes.

793. Who is the person?—It is Mr. Vandeleur's manor; it is Mr. Colpoy's; I do not doubt that the son himself has latterly been appointed the steward, or seneschal, but he did it previously to his being appointed.

794. In those cases where those attachments were issued, either signed in blank by the seneschal, or signed by other persons in his name, were affidavits required before the issuing of the attachments?—Not in all, in my opinion; and I believe it is the fact, that they do not require affidavits in one case out of five, but merely issue the distringas on being paid, for it is impossible the affidavits could be made in those cases; I do not think they would be so bad as to swear to them, and I believe the seneschals dispense with the affidavits in many cases.

795. What you stated before as to the perjury on the attachments, did not apply to every case?—No; but it very often occurs that to obtain a distringas they make the affidavit; but I believe that the seneschals frequently grant them to persons on their application without affidavit; if there is an application for a distringas by any person in a respectable walk of life, it is granted, I believe, without oath.

796. Mr. *Bridgeman.*] Do you know any instance of seneschals refusing a distringas on attachments?—No, I never knew an instance of that. I will mention a case, which appears a very extraordinary one, of a distringas issued last summer. Mr. Bridgeman, who is married to Lady De Burgho, went to the salt water in the course of last summer; Sir John De Burgho, her first husband, in his lifetime, owed some money to a tradesman; the tradesman knew that Mr. Bridgeman was stopping at the sea side; he applied to Colonel O'Brien, and Colonel O'Brien issued a distringas against Mr. Bridgeman for the debt due from the former husband; the consequence was, Mr. Bridgeman's property was laid hold of under distringas; there was a decree pronounced by Colonel O'Brien upon the distringas; Mr. Bridgeman very properly lodged an appeal to the last assizes at Ennis against the decree, contending that he was not within the jurisdiction, not being a tenant of the lord of the manor, being a mere visitor, and the cause of action not having arisen in his own time, or in the manor; his appeal was informally prepared, and, in consequence, that decree stands affirmed. I was the attorney against Mr. Bridgeman; Mr. Bridgeman's appeal was informal; the statute requires there should be two sureties, and Mr. Bridgeman had only one surety, thinking he himself, and one surety, was sufficient for 14 *s.* That decision must have cost him a couple of pounds; he brought Mr. George Gloucester to attend it. The decree was ultimately affirmed, though he did not reside even in the county, and I believe his carriage was laid hold of under this distringas; that decree was pronounced at the suit of Mr. Maher, a shoemaker, who contended that the late Sir John De Burgho owed him 14 *s.* for shoes.

797. Where those attachments are issued in this irregular manner, may not cases arise in which the ends of justice are defeated, though not so glaringly as in that you have mentioned?—Yes, I am aware that such cases do arise; it is

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quite a constant practice with those people, when they obtain an attachment, to run away with the goods of the defendant without obtaining a decree, and sell them the next day; then the person whose stock is removed is left to his action against, in all likelihood, a beggarman; that is sometimes done with respectable persons.

798. It has been stated that these attachments are granted for the benefit of the people; do you consider that course to be justifiable?—I conceive that if there are sufficient materials laid before the seneschal to warrant him to issue the attachment, he is irresponsible for the use which is made of it. The reason I consider he is irresponsible for the use of it is, that he is bound to issue his warrant to his own bailiff, which he does generally, and the bailiff is responsible for his own acts; but the seneschal is not responsible for the bailiff's acts; the bailiff is bound to give security to the extent of 50 *l.* at the time of his appointment, for the due execution of his office, but his sureties are generally men of straw, not worth a penny.

799. Is the practice of giving the execution of those attachments to a special bailiff consistent with the law?—I conceive it is contrary to the law.

800. Is it the habit?—It is quite the habit; they generally name their own bailiff, that is what is called a marshal, then they add another name, and the other is the person generally employed by the plaintiff to execute the process, and the only person. When those persons get these distringases, or decrees, and though there are appeals lodged in court to stop the execution, they will go on to sell; and though there is an appeal lodged against the decree, they disregard it altogether.

801. Mr. *Lucas.*] Is your opinion unfavourable to frequent courts for the recovery of small debts generally, or are your objections confined simply to the practice you have seen in the manor courts you have described?—To the practice. I think the court of quarter sessions is quite sufficient for the purposes of the people of the country; that the business is better done in those courts; and that it is better for the people not to have more means of litigation than the quarter sessions afford.

802. You think that four times a year, being the periods at which the quarter sessions are held, is sufficient for the recovery of small debts?—Yes, I do.

803. Do you think that for the recovery of small debts it is desirable that the intervention of a jury should be employed, or that a respectable judge is sufficient without a jury?—I would much prefer, and I think it would be more beneficial, to have the decision of an intelligent judge than a jury.

804. An intelligent individual, such as assistant barristers commonly are?—Yes, I would much rather leave the case of a client of mine with an assistant barrister, than with the kind of juries who can be procured at those places.

805. Are the juries procured at quarter sessions superior to those procured at manor courts?—Exceedingly so; that is, for crown business; but there is not a jury summoned for civil bill business.

806. Suppose these courts were abolished, and the recovery of small debts committed to the assistant barrister, would you recommend the intervention of a jury, or not?—I think the present system would work better, to leave the assistant barrister the discretion he now has to empannel a jury, where he has a doubt of the state of facts; but in ordinary cases, where he has no doubt upon his own mind of the state of facts, I should rather have his decision without the intervention of a jury; I think it would be more beneficial; the decisions of the assistant barristers, where they act upon their own judgment, are much more frequently sustained on appeals than where the decision is that of a jury.

807. The power of the assistant barrister to summon a jury, at present, is confined to directing them to try a particular issue, in the same way as the superior court does?—Entirely; the barrister may dispense with a jury altogether if he pleases, or he may call upon a jury to assist him in his decision.

808. You think that is the best footing on which it could be left?—I do, decidedly.

809. Is the county of Clare one in which the farms are very much subdivided?—Part of it; not all of it

810. Is the population considerable?—Very.

811. Can

811. Can you say, on the average, what is the extent of the farms?—No; I do not think it is possible to say that, they vary so much in their extent; the population is very considerable, especially on the sea-coast.

812. Are the transactions of the county, the farming transactions, numerous?—Yes.

813. Do you think that four times in the year is a sufficient number of periods for the trial of those various transactions?—I do; quite sufficient.

814. You think there is no danger of mischief occurring by a person being defrauded of his just debt?—No, I do not think there is; for if their transactions be not for ready money, three months is the longest time which can intervene until it can be enforced; the time cannot be much less than three months, that they would give to one another; it might be a three months' transaction, or a 91 days' transaction, and it usually is so, unless it be a ready money transaction.

815. Would you give an appeal from the quarter sessions to any other court?—Yes, to the judge of assize, by all means.

816. Is not that an expensive proceeding?—It is double the expense of the proceeding below.

817. Those manor courts are usually confined in their pecuniary jurisdiction to 40 *s.*, are they not?—The amount is 10 *l.* throughout our county; that is, 10 *l.* of the late Irish currency.

818. Your opinion appears to be decidedly, that you would prefer the abolition of the manor courts, and the substitution of the quarter sessions court, with an appeal to the judge of assize, rather than the continuance of the manor courts, however well they might be constituted, with an appeal to the assistant barrister?—I would prefer that; I think it would be more beneficial to the country to abolish the seneschals' courts altogether; that the court of quarter sessions is quite sufficient for the purposes of the country.

819. You think no improvement that could be made in the seneschal courts, with an appeal to the quarter sessions court, could make them so beneficial as the mode you propose?—I think not.

820. *Chairman.*] How often are the quarter sessions held in the county of Clare?—The county is divided into four divisions, the division of Ennis, Ennistymon, Kilrush and Tulla, and in each of those places, or within those divisions, the sessions are held four times; there are 16 quarter sessions in the county; sessions are held in 16 places in the year.

821. In the division of Ennis, at what times are the sessions held?—They are held in Ennis in April and October, and in Six-mile-Bridge, for the same division, in June and January.

822. How often in Ennistymon?—In Ennistymon division they are held four times in the town of Ennistymon.

823. In Kilrush division?—In Kilrush division they are held four times in Kilrush.

824. In Tulla division?—Twice in Killaloe, and twice in Tulla.

825. That is a very great improvement on the old division of the county, is it not?—I think it is; justice is brought home to the men's doors.

Martis, 20° die Martii, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Mr. Maher.
Mr. Litton.	Mr. M. J. O'Connell.
Mr. Lucas.	Mr. Redington.

MORGAN JOHN O'CONNELL, Esq., in the Chair.

Mr. *Maurice Leonard*, called in; and Examined.

Mr. *M. Leonard*, 20 March 1838.

826. *Chairman.*] YOU were requested on your former examination, Mr. Leonard, to examine the names of the places returned by the seneschal of Listowel, as being within that manor, and to state to the Committee, from your knowledge of the country, whether such districts lay together, or whether any of them were detached from the rest?—Some are detached, and some lie together; some are in the barony of Irrachticonnor, and some are in Clanmaurice.

827. As to those farms that are detached from the rest, are there large intervening districts between them, and what I may call the body of the manor?—There are.

828. To the distance of a mile or two, in any case?—Yes.

829. Are there districts lying quite contiguous to the town of Listowel, which are not mentioned in the returns of the seneschals?—There are, which I do not see returned.

830. As to the property of the Knight of Kerry, which comes close to the town, is any part of that within the manor of Listowel?—I do not see it in the return which Mr. Fitzgerald has sent in.

831. As to the property of Mr. Elliot lying near the town, is any of that mentioned?—None. The property of Mr. David Mahony lies near the town; Riversdale is not mentioned; the property of Mr. James Raymond, of Dromine, is not mentioned.

832. Are you aware whether the fact of these places not being mentioned in the return, in practice deprives the inhabitants of them of the benefit of the manor court?—Yes, if they wished to resort to the manor courts; but having the sessions four times a year in Listowel, they have sufficient facility of obtaining justice without resorting there.

833. Are you aware whether, in point of practice, the inhabitants of these places are excluded from the jurisdiction of the court?—I rather think they are excluded.

834. Are persons living in those places out of the seneschal's jurisdiction ever processed to the court?—I have heard them complain, frequently, that they were; and have already mentioned myself that they were processed to Mr. Fitzgerald's court, and that they did not reside within the manor.

835. Do the people there, generally, know the bounds of the manor?—I rather think they are quite ignorant.

836. You state, they said to you they did not reside within the manor; do you mean they meant that as conjecture, or a matter of certainty?—It was more a matter of conjecture than certainty, I should suppose; and I am now quite convinced, by seeing this return, that these objections were well founded.

837. Even though parties did not reside within the manor, a cause of action arising within it, for instance, in the market of Listowel, might bring the parties within the jurisdiction of the court?—I rather think it ought not to bring them within the jurisdiction of the court, if they reside at a place not within the manor.

838. Have

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838. Have you perused the Act of the 25 Geo. 3, commonly called the Manor Court Act?—Yes.

839. Do you remember there a requisite being stated for such proceedings, that the cause of action should arise within the manor?—Yes.

840. Do you recollect any other being stated?—That the jurors should be summoned from within the manor.

841. Would you have said that persons being brought to the court refers as much to jurors as to suitors?—Yes, it does to both, in my opinion.

842. Supposing the jury and everything else to be constituted according to law, is there anything to prevent the suitors coming into the court, because one or both may not reside within the manor, when the transaction in question arises within the manor?—I am not aware of any instance myself where the cause of action arose within the manor, and the party resided out of the manor, that he was summoned or processed to that court.

843. Though jurors may have been brought from beyond the manor, you are not aware of any suitor being brought from beyond it?—Yes; in my former evidence I mentioned a man who resided seven miles from Listowel, whose farm is not within the manor, and he was processed to Mr. Fitzgerald's court.

844. Are you aware when the cause of action arises outside the manor they are summoned to the court?—Yes.

845. Do not, in point of fact, small debt transactions often occur among the inhabitants in the neighbourhood of the market of Listowel?— Frequently.

846. In those cases it cannot be considered questionable that parties may be summoned to the court?—I know no instance, nor do I think Mr. Fitzgerald has power to summon a person to his court, because the cause of action arose within the town.

847. Supposing a defendant residing with the manor processed by a plaintiff who resided without it, and the cause of action arising within the manor, in that case would he not have jurisdiction to enforce his authority?—Certainly.

848. In case of the defendant residing without the manor, if injury is caused to the party, would it not arise more from the inefficacy of the law than the illegality of the proceedings?—I think Mr. Fitzgerald ought to be strictly confined to the farms within the manor mentioned in the patent, and that he has no jurisdiction outside of these.

849. Now, with regard to the jurors; you have stated that persons are never summoned regularly to this court at Listowel?—I never knew an instance, but I have invariably seen the bailiff go into the streets, and call on the first person he met, and those always the very lowest and worst characters, with some exceptions.

850. Is the court held irregularly every Tuesday?—It is very irregularly held; I have known several adjournments.

851. Has it ever been held on any other day of the week but Tuesday?—No, I believe not.

852. You stated they were a low class, generally?—Yes.

853. Are persons in the habit of coming frequently to the court to act as jurors?—I understand when a party is processed, or is plaintiff, he frequently goes about to his friends, and requests their attendance.

854. Do you understand that from common rumour, or from your own knowledge in any particular instance?—Common rumour; I have heard it spoken of over and over again by parties; and I have heard parties defeated say that certain persons being on the jury they could not expect a fair trial.

855. Do you not consider that practice very demoralizing?—Unquestionably.

856. If there was a power of summoning proper jurors, are there not, within the manors both of Listowel and Lixnaw, farmers and persons of respectability and intelligence fit to act as jurors?—I am certain there are; I am certain it is great neglect on the part of Mr. Fitzgerald not to enforce the summons if he has the power.

857. You think he has actual power?—I heard him say on one occasion in his court he had the power, and would enforce it; I never knew him to carry that threat into execution.

858. Do you think it anything more than a threat?—I believe he was serious at the time, it was immediately after his appointment.

 859. Are

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859. Are you at a loss for respectable jurors at the quarter sessions at Listowel?—We have a very excellent attendance; I think our attendance of the grand jury at the quarter sessions very respectable.

860. That is scarcely a fair test of the country jurors; are your petty jurors pretty good, making allowance for the inexperience of many persons who attend?—I have no occasion to complain of them.

861. Is there an illiterate class of persons on these juries?—Yes, very much so, in the manor courts.

862. Can you state any particular instances in Listowel, or any other court?—From the manner in which the juries are constituted in Listowel, I, as a professional man, have the greatest objection to enter the court, and I demand a much larger fee for my attendance than I am authorized by the Act. That is done more for the purpose to avoid practising in the court. I have seen some of the jurors drunk in that court.

863. Were they so intoxicated as not to know what they were about, or merely elevated?—They were drunk; the very moment I entered the court and looked at the jury, I saw one or two were drunk.

864. Have you ever heard it said, that those persons who solicit the attendance of their friends, remunerate them for their attendance by an extra glass?—It is the general opinion.

865. In the court of Ballylongford, do you know of any instances of illiterate jurors?—Yes; I recollect that upon the trial of a civil bill, before Mr. Freeman, at the quarter sessions at Tralee, there was a witness under examination, and he stated that he could not speak the English language, nor did he understand it; that he was attending as a juror before Mr. Sands, at the manor court of Ballylongford; that the evidence in the case was given in English, and that he did not understand one word of the evidence; notwithstanding that he was a party to bringing in the verdict there, and consented to the verdict, which astonished Mr. Freeman at the time, who was the assistant barrister.

866. Did it appear that the seneschal was aware of that man's ignorance of the English language?—I do not know that.

867. Did he state that he was sworn in the Irish language or the English?—He did not; but I am of opinion that the oath was administered in the English language; I know it surprised Mr. Freeman at the time very much, and caused great merriment in court; and I must add, that I am quite surprised that so respectable a gentleman as Mr. Sands, who is the seneschal of that manor, should allow the persons I am told he does to practise in that court; one of them is a man of the lowest character; I do not know what station of life to rank him in, a man of the name of Joseph Barett; he is an agent; and the other, as I understand, is a petty session's clerk, who is not a professional person.

868. What is the clerk's name?—I think it is Kitson.

869. Mr. *Maher.*] Is Barett a professional person?—Not at all; the lowest description of person to be met with.

870. *Chairman.*] Has he any other occupation or manner of living?—I rather think he is a parish valuator, and fills up civil bills for the quarter sessions, and a sort of pleader in the neighbourhood.

871. Are those persons of the description you mentioned, generally a low class of persons?—Yes; but in that case of Ballylongford I must draw a distinction between Kitson and Barett; Kitson is a man of very fair character, but Barett is the reverse.

872. If an attorney's clerk is discharged for bad conduct, and cannot find a new employer, does he not generally go to some country district and set up filling processes?—Yes, and filling leases and deeds, and it deprives us of business.

873. Mr. *Lucas.*] That is to say, all the inferior and least creditable business in the profession falls to the least creditable persons?—Yes, just so; I know myself an instance within the last month, where I was charging 1 *l.* for filling one side of a lease, the parties, after giving me a great deal of trouble, had it done for 2 *s.* 6 *d.* by a discharged attorney's clerk; we lose considerably by this practice.

874. Just in the same manner as many irregular marriages are made by irregular or disgraced clergymen?—Something in the same way; it is certainly one of the greatest grievances under which we labour in country towns.

875. So

875. So that the lowest business in every profession, as it were, falls to those of least character?—Certainly.

876. *Chairman.*] Do any of the persons of this class practise in the court of Listowel as agents?—No; but in the time of the former seneschal, Mr. Church, the apothecary, who was the predecessor of the present seneschal, Mr. Fitzgerald, he allowed two shoemakers to practise in his court; I have seen them practising as agents in this court.

877. Were the shoemakers men of intelligence?—I rather think one of them was.

878. Were they considered sharp practitioners?—I should say not.

879. How came they to forsake the last for the law?—Finding it, I suppose, more lucrative; and I recollect when I went into that court, immediately after being articled as an apprentice, and on my first entrance to it, the jurors demanded whisky and drink of me.

880. Were you concerned in any case?—Yes; that was in Mr. Church's court, the predecessor of Mr. Fitzgerald.

881. Did you comply with their request?—I did not.

882. Were they much displeased at your non-compliance?—I do not know, I only recollect the circumstance.

883. Was this court held at a public-house?—Mr. Church did hold it in a public-house.

884. Have you ever known suits to be brought in Mr. Church's court, in which he might be considered to be interested?—Yes; Mr. Church was collector of tithes for the Messrs. Stoughton, and I understand he was in the habit of processing to his court those persons who were in arrears of tithe at the time; they would pay the cost of the process and the entrance, and get indulgence. I have heard that that was repeated for three or four courts, and that the costs exceeded the amount of the tithe due.

885. Then those cases in which they paid costs did not go to a final decree?—I understand not.

886. It was a losing game for the people, was it not?—It put them to a considerable expense; they had much better have paid the tithe in the first instance.

887. In this case they suffered by their own folly, in paying for an indulgence at a much higher rate than it was worth?—Yes, that was before the composition.

888. Before Mr. Goulburn's Act?—Yes.

889. Might not a suit for tithes be legally brought in the manor court?—I do not think there is anything to prevent it; though I have not known, since the Composition Act, any action for tithes in any manor court.

890. What you complain of is that a party so interested as the seneschal's was, decided what was virtually his own case?—Yes, and putting the parties to enormous expense; the costs exceeded the amount of tithe due.

891. Mr. *Lucas.*] Have you any objection to these small courts generally, if well managed?—I do not think they are at all necessary, particularly after passing the late Civil Bill Act; I think, on the contrary, it would be a great blessing if the country was rid of them.

892. Do you think there are sufficient facilities for the recovery of small debts generally throughout Ireland without them?—Speaking from my own knowledge, I should say generally the facilities are quite ample enough.

893. By means of the quarter sessions?—Yes, certainly; they are very well regulated.

894. Have you known any of those courts out of the county of Kerry?—No.

895. So that the general opinion you form is of course principally based on your local knowledge of the courts?—Certainly; and from consultations with my brother practitioners from time to time.

896. *Chairman.*] Supposing the courts convenient, is there not this inconvenience in the county of Kerry generally, that manor courts are in the neighbourhood of quarter session towns?—Yes; the manor court of Listowel is held in the quarter-sessions town; Ballylongford manor court is only six miles from the quarter sessions; Lixnaw is only five or six miles from the quarter sessions.

897. Ballyhi is not far?—Yes, a greater distance.

898. There is a manor court at Killarney, and that is a quarter session town?—Yes.

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899. There is another at Kenmare?—I do not know that.

900. You stated in your former evidence that there was a difficulty in appealing, on account of an objection on the part of the seneschal to receive appeals; do you find that the seneschals show that aversion in all cases where appeals are presented to them?—I have heard persons complain of it, and they have consulted me as to the manner in which they were to appeal.

901. In point of practice, do the seneschals you are acquainted with require appeals to be lodged on the day on which the cause is tried?—I rather think Mr. Fitzgerald is particular in that respect; I cannot speak of any other court.

902. Are you sure that he requires them to be lodged on that day?—I cannot speak from my own knowledge, though I have heard several complaints from time to time.

903. Does the seneschal always fill up the bail bonds himself?—I rather think Mr. Fitzgerald or his clerk does; with respect to the other bail bonds with which I have any experience, I do not know the handwriting of the parties who filled them up, but I know in almost every instance they are informal.

904. Are not a great number of decrees affirmed in consequence of the informality of the bail bonds, or of the appeal itself?—A great many in consequence of the informality of the bail bonds; they cannot go into the trial of the case, as the bond is informal.

905. The bond is generally filled up by the clerk?—Yes, or by the seneschals.

906. Has not the clerk a species of interest adverse to the reversal of any decree?—I rather think the seneschal would wish to support his decree; I rather think he has a leaning towards it.

907. In fact, if a number of decree should be reversed, would not that remove the business out of the court?—I rather think it would have that effect.

908. Would not the removing the business out of the court, move money out of his pocket?—Yes, no doubt.

909. Would not that injure the clerk?—I do not know whether he receives any payment.

910. In case bail bonds were filled up by manor court practitioners, would not they also generally have an interest in keeping the business in the manor court?—They would.

911. These irregular practitioners that we spoke of?—I think it would.

912. Are there any at present in the manor court of Listowel?—No, not since Mr. Fitzgerald has presided as seneschal.

913. Are there any courts-leet held in the manor of Listowel?—I do not remember any.

914. Any market jury sworn?—No.

915. Any grand jury?—No.

916. Any presentments made often?—No.

917. Are any proceedings for the removal of nuisances taken, or acts done, though no court-leet is held?—No, I know of none. Mr. Fitzgerald has lately taken the manure himself out of the street to his farm; and that is disputed by the inhabitants, who say he has no right to do it. He claims it under his patent; and he failed to show his right at the petty sessions, when he brought parties before that court; I was concerned for them.

918. Mr. *Lucas.*] Is the street a highway, and repaired under a county presentment?—Yes, it is kept in repair by the road contractor.

Martis, 27° *die Martii*, 1838.

MEMBERS PRESENT.

Mr. M. J. O'Connell. | Mr. Redington.

MORGAN JOHN O'CONNELL, Esq., IN THE CHAIR.

Mr. *George Mathews*, called in; and Examined.

Mr. *G. Mathews.*

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919. *Chairman.*] WHAT is your occupation?—I am in the office of the Chief Secretary for Ireland; I am also secretary of the Loan-Fund Board, in which capacity I acquired a knowledge of the local courts of Ireland.

920. In what manner did your office of secretary to the Loan-Fund Board give you an opportunity of acquiring a knowledge of the local courts?—The rules of the loan-fund societies are required, by Act of Parliament, to be registered before the quarter sessions.

921. Are you, then, enabled to state in how many places quarter sessions are held for each county in Ireland?—I am.

922. Have you got your return?—I have.

923. Have you got a list of the quarter sessions courts arranged according to counties?—I have, and the number of times they meet every year. (*The same was delivered in, and read.* See *Appendix.*)

924. Have you any knowledge of the proceedings or practice of the manor courts in Ireland?—I have none personally. As employed in the Chief Secretary's office, I have very frequent occasion to see complaints from parties aggrieved, or parties complaining of the conduct of the seneschals; I have a copy of one now with me; I could have brought a great many more, if I had known it was of consequence.

925. What was the nature of the complaint of which you have a copy?—A person complains that he has been sued before a manor court in which he does not reside; judgment has been given against him; he has lodged an appeal; he has paid the fees; but the seneschal refuses to give him a certificate which shall protect him from the execution of the decree until the assizes are held.

926. In what manor was that?—The manor of Kiltullagh.

927. How long ago?—It was on the 2d of the present month.

928. Do you know the name of the seneschal?—No.

929. Are the complaints which you have seen, founded, in general, upon the same cause, or do the causes of complaint vary?—Within the last four weeks there was a complaint of a seneschal's court, in the county of Tyrone, by a party saying he had been brought twice to the quarter sessions for the payment of tithes, and the barrister dismissed the complaint in both cases; but afterwards the clergyman brought the case into the seneschal's court, when judgment was given against him, and no regard was paid to the former judgments of the assistant barrister.

930. What was the name of that manor in the county of Tyrone?—I do not recollect at this moment; but, if required, I can send a copy of that complaint.

931. What has been the course of proceeding of the authorities in Dublin upon the occasion of such complaints?—They have felt a disinclination to interfere; in complaints from the petty sessions of the judgment of the magistrates, they have, in every case, referred back to the magistrates the complaint for report; but in the seneschals' courts there has been a general unwillingness to interfere, it being supposed they were about to be controlled by some legislative enactment.

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932. Are you prepared to state that that is the reason why the Government do not interfere in the cases of manor courts?—It has been one reason.

933. Do you consider that to be the sole reason, or the principal reason, or a reason at all, why the Government have refused to interfere?—It has been one reason, to my knowledge, why the Government has not interfered.

934. Have you been long in the Chief Secretary's office?—Several years.

935. Are you aware what steps were taken upon complaints previous to this Committee being named?—There have been very few complaints until within the last three years, either from the petty sessions courts, or the seneschals' courts; very few, indeed.

936. Was that the only reason?—That was one reason; another was, that the Government have hitherto supposed that the petty sessions courts were more directly under their control, the judge being appointed by themselves; there was an unwillingness to interfere with the seneschals' courts because the judge was not appointed by the Government.

937. In addition to their unwillingness, was there not an inability to interfere?—There has been a question lately raised on that subject.

938. In what manner?—It has been supposed that the seneschal really holds his power from the Crown, and that either he or the lord of the manor is responsible to the Crown; and that the Attorney-general may bring either the lord of the manor or the seneschal before the Queen's Bench, if any excess of power beyond that contained in the charter were proved against him.

939. Has that supposition ever been acted upon?—It has not, to my knowledge.

940. Is there an instance known, since the original institution of manor courts in Ireland, in which the lord of the manor has been made responsible for his appointment, or the seneschal responsible to the Executive Government for his conduct?—I am not aware of any; but until last year there was an officer who was called the inspector or surveyor of King's manor courts; that office was abolished last year, it having become a sinecure, and, I suppose, having always been so; it was held by the Honourable Mr. Westenra, and was abolished last year by surrender of the patent, and a superannuation being given to him, which was in the Irish Estimates last year.

941. Mr. *Redington.*] Have you ever known an instance of Government interfering in any case of a complaint arising from the manor courts?—I have.

942. Can you state any instance?—There have been several complaints of the manor of Eyrecourt; I know that two or three complaints against the seneschal of that court were referred back to him for report.

943. Are you aware of any report being made?—I cannot say at this moment.

944. Are you aware whether any steps were taken in consequence of his report?—I am certain that nothing was done to the benefit of the party.

945. *Chairman.*] At any rate, supposing the Government to have the power of controlling the conduct of manor courts in that way or not, are there not difficulties in the way of exercising that power?—There are great difficulties: in the first place, the seneschals of the manor courts make no returns of their judicial proceedings. There may be many blameable acts on their part which never come to the cognizance of the Government. The petty sessions make a quarterly return of their proceedings; all they do is made known to the Government; but it is not so with the manor courts, they report to no superior authority whatever.

946. Mr. *Redington.*] Have you any knowledge of a complaint made by a person of the name of Tulley, respecting the manor court of Mount Bellew, in the county of Galway?—Yes, I recollect several complaints against the seneschal of that court, Mr. Kilgaon.

947. Do you remember a complaint made by a person of the name of Tulley?—I do not; but I know there have been several complaints made to the Government respecting that seneschal during the last two years.

948. Have the Government ever directed a magistrate or chief constable of the police to make any inquiries respecting those complaints?—I do not know; some department of the office may have done so; it is not within my knowledge;

ledge; but it would be a very unusual proceeding to direct the chief constable to inquire into the conduct of the seneschal.

949. Or the stipendiary magistrates?—The stipendiary magistrates might do it.

950. *Chairman.*] In the case of a complaint from the petty sessions, has not the Government, in addition to the report of the magistrates, the means of enforcing its authority in a summary manner?—In petty sessions cases, if any of the parties are aggrieved, and think fit to apply to the Government for a re-hearing, or to make any re-statement of the case, the document received from them is immediately sent back to the magistrate for his consideration and report, and frequently a re-hearing is ordered, or some new proceeding is taken by the magistrates in consequence of it.

951. When that is done, if the magistrate's conduct appears to have been illegal or unjust, has not the Government in its hands the power of summary remedy by dismissal of the offending magistrate?—Yes, and they have exercised it in some instances to my knowledge.

952. Supposing a similar course taken, as far as inquiry and report, in the case of seneschals, is there not this difficulty, that the Government has no summary power of remedy; if they have any power of remedy at all, is it not by a slow process, and one in which, supposing it to succeed, the delay would remove the force of the example to others?—Not having appointed the seneschal, I should suppose they could not dismiss him summarily; they have no other remedy but by applying for a revocation of the patent, on the ground of corrupt conduct in the seneschal; and I have inquired, and I am not aware at this moment of any case upon record of the Government having found itself able to have a patent revoked.

953. Are you acquainted with the number of manor courts existing in the several counties in Ireland, further than by the reports that have been prepared by the direction of this Committee?—When this Committee was appointed there was a circular letter sent to the clerks of the peace of every county in Ireland, calling upon them for a return of the several manor courts in their respective counties. The number returned was 208. The number of seneschals was 208, but only 160 courts are returned, two seneschals being in some cases named.

954. Have you got, or can you furnish, to this Committee, the number of courts in each county in Ireland?—I can procure it. There were eight counties in which no manor courts existed.

955. Did the clerk of the peace return the names of the manor courts in each county?—Yes.

956. Can that be forwarded to this Committee without any great trouble or expense?—Yes.

[*The Witness was directed to forward the same.*]

957. Are you aware that several existing manor courts have not complied with the order of this Committee in sending their returns?—I am.

958. Can you account for that in any way?—It is the case generally throughout Ireland; it is with very great difficulty that Parliamentary returns can be obtained even from clerks of the peace, and clerks of the Crown; they complain that there is no remuneration given to them for preparing these returns, and sometimes they are very voluminous and expensive. I do not know that that is the reason with the seneschals, but in several instances they have been written to repeatedly, and threatened ultimately.

959. Will you mention the names of the counties in which there are no manor courts?—Carlow, Kildare, Leitrim, Louth, Longford, Meath, Wexford, and Wicklow.

960. Mr. *Redington.*] With respect to what you have been stating with regard to the number of counties in which no manor courts have been held, from what document have you taken that statement?—From the return made to the Government by the clerks of the peace.

961. Are there any manor courts in Dublin?—Yes, three or four.

962. Have there been any complaints of those manor courts?—I never saw any complaints of those manor courts; I should suppose, from the nearness of those courts to the supreme courts, the parties would have a ready appeal.

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There are four courts, I believe, in Dublin, and they are all held by barristers.

963. *Chairman.*] Has it ever come to your knowledge that a complaint has been made to the Government that a seneschal continued to act in support of his decree, notwithstanding that decree was reversed on appeal to the barrister or judge?—That is not impossible, but it has never come to my knowledge. I think till very lately there was a sort of belief throughout the country that the Government had no control over the seneschals' courts.

964. Then all these complaints have been of late years?—Very late. It is only very lately that the Government has begun to call magistrates at petty sessions to account; within the last three or four years.

965. Then you consider that the complaints to the Government respecting manor courts, has been the result of the Government having interfered with regard to the conduct of the magistrates?—I think they began to interfere with them both at the same time. It is only within the last two or three years the Government began to inquire into the conduct of the magistrates, and still it is doubtful whether they are constitutionally authorized to do so, although they do it.

966. Mr. *Redington.*] Can you distinguish any particular kind of complaint as being predominant amongst the complaints to the Government, any particular grievance complained of, for instance, either being decreed and not being within the jurisdiction, or being decreed and not being properly summoned? Can you particularize any one?—Non-residence was the chief complaint, being without the jurisdiction of the manor. I thought at one time that the police attending the manor courts to keep order, gave a sort of countenance to the Government to interfere, but that was discontinued.

967. How long ago was that?—Three or four years back; there was a complaint from the seneschal, to the Government, that they were not supported as they ought to be, that they could not preserve order in their courts.

968. *Chairman.*] In the other counties where there are manor courts, are you aware whether, in general, the larger portion of the country is affected by these manorial jurisdictions, or is independent of them?—I could not undertake to describe the territorial boundaries of the manor courts, although it could be very easily done.

969. Do you think that a map of Ireland could be produced upon which the manorial jurisdiction could be marked out and defined?—I do.—*(The witness was directed to procure such a Map.)*

970. Mr. *Redington.*] Have you ever attended any manor courts?—I have been once or twice at Saint Sepulchre's in Dublin, merely from curiosity in passing by.

971. *Chairman.*] That is held in a regular court-house?—Yes.

972. And is altogether a favourable specimen of the class?—I should think so.

973. Mr. *Redington.*] Are you aware that parties belonging to the loan fund in any district have proceeded for the recovery of their debts in these courts?—I have never known them go to the manor courts, and I should think they would go with greater readiness to the petty sessions courts.

974. Can you give any account of the number of appeals to the judge of assize from the manor courts?—It could be obtained; the clerk of the Crown would be the officer who would furnish that return. If called for, it could be procured.

975. Could he also give the adjudication of the superior courts upon such appeals?—He could.

976. Can you give, in addition to the return of the quarter sessions courts, the number of petty sessions courts held in each county of Ireland?—Yes, I produce it now. *(The same was delivered in and read.* See *Appendix.)*

977. Can you state how frequently each court is held?—A great many of them once a week; upon an average in Ireland, once a fortnight.

978. But are you able to state, in each particular instance, how often the court is held?—I have a return with me which shows the names of the courts, and how often each court sits.

979. From the returns you have, can you state that once a fortnight is the average of the sitting of the courts which are held?—I can, of the petty sessions courts.

980. Do these petty sessions courts in any part of their jurisdiction supersede the necessity of manor courts for the recovery of small debts?—In the matter of debts, the only civil bill jurisdiction they possess is in wages cases; I may, however, add, it is the general wish that they should also have a small debt jurisdiction conferred upon them to a limited amount. They are now becoming regular courts; their proceedings being brought before the Government, and the magistrates regularly attending them, give them a character of regularity which they did not formerly possess.

981. To what amount would you suggest that they should possess a small debt jurisdiction?—They commenced many years ago in Scotland at 40*s.*, being now raised to 5*l.*; perhaps, if a similar course were tried in Ireland, 40*s.* might be a fair commencement in a court of conscience.

982. Would you suggest any provision to ensure legal knowledge on the part of the judge of such tribunals, supposing that jurisdiction to be given to them?—If you can trust them with the power at present of adjudicating upon wages cases to a greater amount, it may almost be taken for granted that they are also capable of disposing of small debt cases to the amount of 40*s.*

983. What is the amount of their jurisdiction in wages cases?—I think 6*l.*

984. Then if there were not some difference between cases of wages and other small debts, why would you limit the amount to 40*s.*, why not make it 6*l.*, to make it equal to wages cases?—It is a new species of business, brought to the petty sessions, and perhaps it might be better to try it upon a small scale at first.

985. But is not there a difference between wages cases and other small debt cases?—There may be so.

986. Is not the simple fact of hiring the most easily proved case of contract, and one in which the least legal knowledge, beyond the ordinary principles of evidence, is required?—I believe it is; but in transactions so limited in amount as 40*s.*, I cannot conceive any difficulty could exist in the petty sessions courts in adjudicating upon them; they are of a very simple character, and they have proved beneficial in England and Scotland. I do not see why in Ireland they should not be equally so.

987. What jurisdiction have the magistrates of England in such cases?—In the courts of requests.

988. They are not necessarily held by magistrates?—I believe they are in some cases, under local Acts.

989. Mr. *Redington.*] Are you aware whether resistance to the decrees of the seneschal is a common occurrence?—I only know of such proceedings by the complaints of parties aggrieved making a representation to the Government.

990. Have those grievances often had reference to resistance to the decree, when the seneschal's bailiff came to enforce it?—I should think the person resisting the decree would not report that to the Government. I am not aware of the seneschal having gone to the Government when there has been any complaint of resistance to the decree.

991. Are you aware of any such complaint having come to the knowledge of the Government through the constabulary officers?—I am not.

992. *Chairman.*] Are you aware whether any of the seneschals are magistrates?—They are; I have a list of those who are magistrates. *(The same was delivered in and read.* See *Appendix.)*

993. Are you aware whether the fact of their being magistrates has at all removed complaints from those courts?—I have heard a seneschal say so himself, I do not know it otherwise.

Jovis, 5° die Aprilis, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Mr. Maher.
Mr. M. J. O'Connell.	Mr. Redington
Mr. Jephson.	

M. J. O'CONNELL, Esq., IN THE CHAIR.

Mr. *Denis Leonard*, called in; and Examined.

Mr. *Denis Leonard.*

5 April 1838.

994. *Chairman.*] IN what profession are you?—An attorney.

995. Where do you reside?—At Kilrush, in the county of Clare.

996. Do you practise in the county of Clare?—I do.

997. Have you, in the course of your practice, had any experience of manor courts in that or the neighbouring counties?—I have had a good deal.

998. Is there a manor court in Kilrush?—There is.

999. Have you ever attended professionally in that court?—I have.

1000. Have you frequently attended?—Yes, frequently.

1001. Is the seneschal of Kilrush a professional person?—No.

1002. In what situation of life is he?—His family are respectable, but he has rendered himself not so by his course of life.

1003. Has he long filled the office of seneschal of that manor court?—I believe he has; but having been only a year and a half in the county of Clare practising I cannot exactly say; he was in the situation when I went into that county.

1004. Who is the lord of the manor of Kilrush?—Crofton Moore Vandeleur, Esq.: there are several manors in the immediate neighbourhood of which he is the seneschal; of those several manors, Mr. Westley and Mr. Crofton Moore Vandeleur, and Mr. Macdonald of New-hall, are the lords, as I best remember.

1005. Are you clear in the fact that there is more than one manor, and that this person is seneschal of them all?—Yes.

1006. Where does he hold his courts as seneschal of those manors?—He holds one court in the town of Kilrush, and another in the little town of Kilkee, known by the name of Dough.

1007. The manor is called Dough?—Yes; another Dunoughboy; I have not attended any others.

1008. Is the manor of Kilrush an extensive manor?—It is not a very extensive manor; the manors in the immediate neighbourhood render it not so.

1009. Is there any other town or village in it besides Kilrush?—I believe he holds a court in some town or village for the manor of Kilrush, but I am not prepared to say where that is.

1010. Are you aware what is the population of the town of Kilrush, in round numbers?—I should say, as nearly as I can calculate, about from 3,000 to 4,000.

1011. Is it the quarter sessions town for one of the divisions of the county of Clare?—It is.

1012. Can you undertake to say whether the town population, or the rural population, of the manor of Kilrush, is the greater?—Certainly the rural.

1013. A considerable portion consists of the town population?—Yes.

1014. Are you aware whether the whole manor is the estate of the lord of the manor?—As far as my memory serves, it is the property of Crofton Moore Vandeleur, esq.

1015. Where is the court held for that manor?—In the court-house at Kilrush.

1016. Are the manor courts in the other manors you have mentioned held in regular court-houses?—No.

1017. In what sort of houses are they held?—They are held in empty houses; Kilkee

Kilkee being a bathing-place, some of the houses of the bathers, which are left empty in the winter season, are used for that purpose, and in the summer season it is held in one of the public-houses.

1018. Are the houses fixed?—No, not fixed, except this one at Kilrush, as a matter of course.

1019. How is notice given of the place where the court will be held?—By a written notice, signed by the seneschal, that a court will be held on a certain day at a certain place.

1020. How long is that written notice given previous to the day of holding the court?—Generally a fortnight.

1021. How often is the court at Kilrush held?—Once a month.

1022. Is it held on any particular day in the week?—On the first Monday in the month.

1023. How long does it generally sit on those days?—From twelve till about four.

1024. Are the jurors regularly summoned?—No.

1025. Are they ever summoned?—I believe not; I have never known summonses to have been issued.

1026. Of what class of persons are the juries generally composed?—Of some few of the shopkeepers of the town, and occasionally men of bad character, taken promiscuously in the court, and called upon to be jurors.

1027. In what capacity do the shopkeepers attend the court; do they go for the purposes of their own business, or the pleasure of serving as jurors?—I rather think it is for the accommodation of the seneschal.

1028. Have the shopkeepers in Kilrush generally a fancy for serving on juries?—I think not, but so it is. Mr. Colpoys, the seneschal, is connected with a great number of the shopkeepers there, and many of them go there to fill the office of jurors to accommodate him, and for the purpose of keeping up the court. There is a good deal of dissatisfaction felt at the way in which this department of business is conducted.

1229. Mr. *Redington.*] Is he resident in the town?—In the immediate neighbourhood.

1030. *Chairman.*] Have you practised at the quarter sessions?—I have.

1031. Have you not often known the shopkeepers pray the court of quarter sessions to exempt them from attendance on the jury?—I have known that they have been very exact of late in consequence of Mr. Major allowing no exemptions; they have ceased to ask it as a favour from him; unless in very extreme cases, he will oblige them to attend their duties as jurors regularly. I should state that there are only a few of those shopkeepers who attend in this capacity, perhaps not more than three or four, that I generally see there every court day regularly; not the shopkeepers generally, but those three or four persons I scarcely ever miss out of the court.

1032. They are a sort of constant jurors?—Yes.

1033. Are the other jurymen, who are not shopkeepers, equally regular in their attendance?—Yes, they are indeed; but I rather think those persons are, some of them, the bon companions of Mr. Colpoys, who is, unfortunately, intemperate in his habits.

1034. Are you aware whether he was of such habits before he was appointed seneschal?—I did not know him, and cannot say.

1035. Are you acquainted with the rumour of the neighbourhood sufficiently to say whether it was the office which created the habit, or whether the habits were considered to qualify him for the office?—I did not know the gentleman until I came to live at Kilrush as a professional person.

1036. Mr. *Redington.*] You would think the majority of the jurors, who serve on the juries, are generally the same persons at each court?—Yes, I am quite clear of that.

1037. *Chairman.*] Parties who intend to go into the court are generally pretty well aware beforehand who will constitute the tribunal to decide upon their cases?—There is scarcely a doubt of that; where there is anything material, what is called a wrangle, they are sure to know who is to be on the jury.

1038. Mr. *Redington.*] How is notice given of the time of holding the court?—Generally a fortnight before, two or three miserable, small pieces of paper are

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pasted up in different parts of the town, so that they may be seen by accident; but it is a general rule, that the court is held the first Monday in every month.

1039. Is the court always holden on those days?—Yes.

1040. Have you ever known an instance of a person being summoned to attend on a day on which the court was not held, and that he was afterwards decreed against on a day on which there was no notice of a court?—No; the particular individual processed is supposed to have received notice of that by the service of the process, that states the day.

1041. Supposing a court were not held on that day, but held on a future day, of which no further notice was given, have you ever known an instance of a decree in absence?—I have never known an instance of that.

1042. *Chairman.*] The persons who were to be on the jury being known, have you ever found that any canvassing took place among them previous to the cause going into court?—I have not known that fact; but I have had experience that such a thing must have taken place, from what has occurred to myself in practice in the court, that there must have been some prior knowledge of the facts, and a prejudice on the part of the jurors.

1043. A witness in the course of the inquiry last year, who was seneschal of another manor court in the county of Clare, stated as his reason for not summoning the jurors, that the fact of persons being summoned made the jurors known, and gave rise to canvassing amongst them; therefore that he discontinued the practice, and took them from among the by-standers. Granting that, there may be some reason in the cause which has been alleged for departing from the practice of summoning juries in some cases; is not the system which exists in the court of Clare quite as objectionable as the summoning juries?—There is not a doubt of that.

1044. Is it considered a respectable thing to be in the habit of serving on juries in the manor court?—No, it is not; there is nothing disreputable about it; but it is not considered very respectable; we have no shopkeepers of the higher class on the juries; I have no doubt if the court were properly conducted it would be so.

1045. Are the shopkeepers who attend in the manor courts often empannelled on juries at the quarter sessions?—Three or four of them, I think, but not more.

1046. Are persons not shopkeepers, who serve on the juries at the manor court, on the juries at the quarter sessions?—No.

1047. Are they qualified to serve on juries at the quarter sessions?—They are not.

1048. Do they reside in the town or country?—Chiefly in the town.

1049. Are they householders in the town?—I rather think some of them are, but I cannot say so of the whole.

1050. Are they all resident within the manor?—Yes, I think so.

1051. Being resident in the town, have you found the country suitors in the court ever complain, or seem to feel, that there was an unfair prejudice on the part of the town against the country?—I have certainly heard a good many complaints from persons of not being fairly dealt with by jurors, but not from the particular cause of the jurors being taken from the town; they have expressed generally that their case has not been fairly dealt with. In very many cases there are only a few jurors called in each case; perhaps two, three, or four.

1052. Mr. *Redington.*] The number of jurors is optional?—Yes, and in a great number of cases there is no jury at all. The seneschal issues a summons, called a petty action, a petty process, which is a different proceeding altogether from that under the Act of Parliament: this he issues out for all actions of debt under *5s.*, he then decides himself, unless the demand be opposed; he takes the oath of the person claiming, and makes his decree without examining any witnesses on the evidence of the person claiming; if there be any defence made to the action, it is put off for a while until the latter part of the day, when it is tried by those three jurors; if it exceeds *5s.* then it proceeds in the regular way. There is a fact which I think it right here to state: I was concerned a short time back for a poor creature that came into my office to say that he was processed for a few shillings, the price of shoes sold and delivered, and being a very poor person I went down to defend him; the case was proved against my client, and I entered into the defence; I examined several witnesses, and when I had

I had nearly closed the case for the defence, I saw one or two of the jury who had been out during my defence come in, and one of them was beastly drunk, and had not heard what defence I made; I spoke of this very strongly at the time, but it was of no use; there was a decree made against my client.

1053. Mr. *Maher.*] Was he allowed to resume his place among the jury?—He was.

1054. *Chairman.*] Was that a case under 5*s.* or over?—I am not positive, but my impression is, that it was under 5*s.*

1055. Did you appeal in that case?—I recommended my client to appeal, but I believe the poor fellow was afraid of the expense of the appeal, and he was induced to pay the debt rather than to do so. If I remember right, I told him I would conduct the appeal without any personal charge, but he was afraid of going to any expense.

1055*. Have you got a copy of the summons which is issued in the case of those petty actions?—I have not.

1056. Can you send one to the Committee?—I will do so.

1057. Do you know under what authority the seneschal takes upon himself to decide those petty actions?—I do not; I have objected to it in the court as knowing it to be illegal, and my objection has been overruled. There is another fact I think the Committee should be made acquainted with: A Mr. Patterson, of Kilrush, was processed to that court, by this petty action process, for a sum I think of 3*s.*, however under 5*s.* In the multiplicity of business, Mr. Patterson having been from home, there was a decree obtained against him; that decree was executed on a saw, what is called a frame-saw, valued at 1*l.*, and sold for some trifle under the costs of the action; in the meantime the period for execution ran out, and there was a second summons issued for the remainder, and a decree pronounced upon it; that is, a decree upon the remnant of a decree. Mr. Patterson was greatly annoyed about it, and made a complaint to Mr. Vandeleur, who came into the court, and, in consequence of that, and other irregularities, ordered his seneschal to give up the books and cease to be the seneschal of the manor, which he would not do, and that is the position in which those two gentlemen now are.

1058. How long ago is that?—This was very recently; I suppose within the last two or three months.

1059. Has a court been held since that period?—On another occasion, and since the above circumstance took place, a court was being held, and Mr. Vandeleur came in and told the persons in the manor court that he did not consider there was authority for any proceedings that Mr. Colpoys was taking in court. Mr. Vandeleur, I believe, intends applying to the superior courts on the subject.

1059*. What proportion do the cases under 5*s.* bear to the number of cases above 5*s.*?—I should say about ten to two.

1060. The jurisdiction extends to 10*l.*, does it not?—Yes.

1061. Do you mean to say that the decision of the petty actions without a jury is only in case they are undefended?—Yes, if they are defended he generally swears three persons to try them; the costs in a dismiss are 5*s.* 6*d.* in case the jury is sworn.

1062. How much without a jury?—In case the jury is not sworn it is no more, I think, than 1*s.* 2*d.* or 1*s.* 3*d.*

1063. Can you state that the costs in that case, supposing the seneschal refers it to a jury, are in that proportion less than for a dismiss?—No doubt of it, unless an attorney be employed for the plaintiff; if an attorney be employed for the plaintiff, he will require the costs under the Act of Parliament; I always did, but I know those persons who have required to have their cases tried there for small debts get their decree for some trifle, 1*s.* 2*d.* or 1*s.* 3*d.*; but if an attorney appears, and the case is defended, the attorney will of course see there are proper costs.

1064. If an attorney appears is he obliged to enforce the full amount of the law?—He does so for his client as matter of right; I always have done so.

1065. Whether an attorney appears or not, does he always enforce it in case of a dismiss?—No, it is only where the attorney appears.

1066. Is the calling of a jury of three persons in a defended case optional; does he claim this petty action jurisdiction independently of a jury, as a matter of right to himself?—I think he considers himself bound to have a jury where it is defended.

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1067. Whether by attorney or not?—Yes.

1068. Mr. *Redington.*] Supposing no attorney appears, and it goes to a jury, what would be the costs for a dismiss or a decree?—Something very trifling; 14*d.* or 15*d.*

1069. Have you ever known a dismiss and a decree given in the same case, one to the plaintiff, another to the defendant?—I cannot charge my memory that I have; but from the manner of conducting business, I do not think it impossible that such a thing might have occurred. A very extraordinary thing occurred very recently: two or three persons gave me their defences in petty actions; I generally, in petty actions, take cases not for any emolument, from the poverty of the suitors, and the smallness of the sum sought to be recovered: in two or three cases I went down to defend the actions. I have stated all those actions are generally put off to the last; I was in a hurry, and wished to get over to Ennis; I wished to get on with the process; I begged the seneschal to call them on, to enable me to get into Ennis, as the assizes pressed; he said, "Oh, just write them down; tell me the dismisses you want, and I will have the dismisses prepared for you." I said, "What, without calling them?" He said, "Oh yes; it does not signify to you how I have them." I wrote them down, and got them.

1070. You were for the defendants?—Yes.

1071. Did the plaintiffs appear in those cases and get a decree as well?—I believe not; I got my dismisses, and that was all I wanted.

1072. Mr. *Maher.*] What costs did you obtain upon those dismisses?—Five and sixpence on each.

1073. As against the party bringing the action?—Yes.

1074. Mr. *Redington.*] You cannot state positively whether the plaintiff was heard, or whether there was any appearance on the part of the plaintiff?—Yes; in one of them I remember, just as I was setting out to Ennis, my client came to me, and said his case was going on, but I having gone into court, got my dismiss without trouble. I heard no more of them.

1075. *Chairman.*] In cases above the amount of 5*s.* are the juries still of the small number you have mentioned?—Yes.

1076. Have you ever known a full jury of 12 empannelled in any case?—Very rarely; but I have known it.

1077. Has that been empannelled at the instance of the parties, or of any professional person employed?—I rather think at the instance of the professional person employed.

1078. Can you state, from your own knowledge, that it ever has been insisted on by any professional person?—I do not think that the question has been raised; I think if a party requested a full jury, that Mr. Colpoys would not go on without giving it; I think he would not act so glaringly improperly as to refuse it if it were demanded, though he is very ignorant of law.

1079. Have you ever known an appeal to be made from his decree on the ground of an insufficient number of jurors?—No.

1080. Do you conceive any decree to be a legal one which was given without a full jury?—I do not; but I question very much whether a judge of assize would suffer that to be gone into.

1081. Why?—I rather think he pronounces upon the documents brought before him; the decree is not one of those; simply the appeal is brought before him; a decree is named in the appeal, but he will not question the decree itself as a document, at least I have never known of such a thing, but he would go into the merits of the case at once.

1082. Mr. *Redington.*] If the whole merits of the case depend upon whether the decree be properly made, will not he go into that?—I have never known an appeal upon that point; there is no appeal from the dismiss of the seneschal; which is a very great injury to the suitor; if he be dismissed he cannot go into another court, nor can he appeal from the decision of that court; a number of persons are greatly injured; by this I know a person who has brought a number of cases before the court in Kilrush, and never got a single penny; from having been dismissed by a partial jury, he has lost his debts for ever.

1083. *Chairman.*] You do not think that the Judges on the trial of an appeal would go at all into the evidence of the illegality of the trial in the manor court?—I have never known that to take place.

1084. Is

1084. Is not the very record of the appeal a proof to them of the decree being regularly obtained?—Certainly.

1085. And that being the case, they go regularly into the case as if they were commencing the proceedings?—Yes, that is my experience.

1086. What course would you recommend a person to take who wished to try the right of the seneschal to try without a sufficient jury; would you recommend him to allow his goods to be taken, and to issue a replevin, or what other course?—I would recommend that an application should be made to the superior court against the seneschal, and I think the 7th Geo. 4, c. 41, s. 6, gives a remedy in cases of misconduct of the office of seneschal, "all seneschals not being barristers of three years standing, shall enter into recognizance within two months after their appointment, and those now holding office, within six months after the passing of this Act, for the performance of their duty, to answer in damages for misconduct, under the penalty of 500 *l.*"

1087. Should you recommend an application for a mandamus to the Court of Queen's Bench, or an action for damages?—I think both remedies exist.

1088. The former by the common law, and the latter by the statute law?—Yes; an action for loss and damage for injuries sustained by the party.

1089. Is not that an expensive process?—Very.

1090. Quite out of the reach of the ordinary class of suitors in the manor court of Kilrush?—Certainly.

1091. If the amount decreed for was small, and the loss sustained came under the amount of 20*l.*, might not the party process the seneschal in the quarter sessions civil bill court?—I think not; I do not think it has jurisdiction to try actions against seneschals for misconduct.

1092. Do you conceive that the existing state of the law renders the seneschal practically irresponsible for any illegal conduct of this kind, however great the damage may be?—I certainly do, practically.

1093. Has Mr. Colpoys given any security for the discharge of his duties?—I am not certain; I believe not.

1094. If he gave it in 1826 or 1827, on the passing of the Act, will it necessarily follow that his sureties should continue solvent up to this period?—No.

1095. Is there any provision in the Act for the renewal of the sureties from time to time?—No.

1096. You have stated that the conduct of the juries has been impugned by suitors in the court; are they considered to be influenced by corruption of any kind?—Both by corruption and prejudice; they are considered as being influenced by a private feeling of friendship for the parties.

1097. You have stated that you saw a juror in a state of intoxication; has it ever within your knowledge been the habit of parties to give drink to the jurors in court?—I have never seen that; I have seen the seneschal leave the court evidently for the purpose of getting drink, but then he must do that as a matter of course, from his state of health, which requires that he should take stimulants during the day, in order to get through the business. I have never known it to extend to the jury in court, but on the occasion above alluded to.

1098. Have you ever attended any other court except that of Kilrush?—I have.

1099. Have you ever been present when they sat in public-houses?—But upon one occason, and that in the town of Kilrush, when the court-house was employed by the magistrates on some inquiry which was going on at the time.

1100. Was the court less orderly on that occasion than it usually is?—I could scarcely draw a distinction, for I never knew it in any other but the most disorderly state. The greatest uproar and confusion; the parties blaspheming and abusing each other. The seneschal allows all this with impunity; in fact, he appears to have no power; at least he does not exercise any power in the court; nor has he the means in his hands of keeping the suitors in order.

1101. In the court-house do the juries sit in a regular place assigned to them, a jury-box?—Yes, but it is quite close to the by-standers, and there is no removal from them; there can be, and is, every kind of interference with them during the conducting the cause; they hold regular conversations.

1102. Do three or four persons address the jury at once?—Oh yes, a dozen.

1103. Some in English and some in Irish, probably?—Yes, some in English and some in Irish; a regular tower of Babel.

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1104. Does the seneschal take care to prevent illegal evidence going to the jury?—He has not the slightest idea of the distinction between legal and illegal evidence.

1105. Do the jury ever retire, in any cases, to consider their verdict?—I have never known more than three instances of that since I came to Kilrush.

1106. In those instances was it a full jury?—I think it was a full jury.

1107. In a defended case do they consult together in the box for any time before they give their verdict?—Yes, they do.

1108. While they are consulting in the box can the parties interfere with them?—Yes, they can; I do not say that they do.

1109. Mr. *Redington.*] Have you ever known a verdict given against the charge of the seneschal?—He never charges, he has no idea of charging.

1110. *Chairman.*] Does he suggest to them which way they ought to decide?—No; he is incapable.

1111. When they deliberate, do they deliberate upon one case at a time, or wait, and consider three or four cases together?—They deliberate upon three or four cases at a time; when one case is over they try the next; they have three or four cases on hand at a time, and give in the whole as a batch.

1112. The jury are not sworn till late in the day?—About two o'clock.

1113. When they are sworn, the average of cases probably is eight or ten?—Perhaps about seven or eight.

1114. If they should happen to be all defended, do they decide on all seven at once?—Yes.

1115. Even though an hour-and-a-half may intervene between the conclusion of the first case and that of the last?—Yes, precisely so.

1116. When they have retired, have they taken a batch of cases with them to consider?—Yes; I have known them to do so.

1117. Have they a regular room to retire to?—They have.

1118. The same as the quarter sessions jury have?—Yes.

1119. Is that room kept carefully secluded?—I think so.

1120. There is no entrance to it except one from the court?—No.

1121. You never heard of such a thing as a bottle of whiskey being handed into the jury?—I have heard of it as a rumour, not in Kilrush, but have never seen it.

1122. Do any persons, not regular attornies, practise in the manor courts?—They had been doing so before I came to Kilrush; I have put a stop to it; there was a person who was not an attorney practising there, and allowed by the seneschal to practise; but when I came, I would not allow him to address the court while I was there.

1123. You conceive their practising to be quite illegal?—Yes.

1124. Are they liable to any penalty for practising?—No; there are the most horrible ruffians practising as attornies in this court, when a professional person does not attend.

1125. Are they clerks who have been discharged by their employers?—Yes; and drunken fellows of the villages.

1126. Do any persons connected with the court, as bailiffs or marshals, ever practise as agents?—I have not known that; such a thing would not occur, I think, where any respectable attorney was in court, he would not allow it.

1127. Mr. *Redington.*] Have you ever known a decree renewed after it had been set aside by the decree of the judge?—No, never; but in the case of a decree being lost, I have known it to be processed over again and decreed. Suppose the debt to be *5 s.*, the decree on that would be *5 s. 6 d.*, that may be lost, and I have known them bring an action afresh for the full amount of debt and costs, and get a decree upon it; and a very extraordinary thing has occurred since I came to Clare. There was a decree lost, and the person came to me to get a fresh one; I went the regular way to work, drew out an affidavit of the facts, and had that affidavit sworn in court, and there was notice served upon the other party to come in and show cause why it should not be renewed. I was strongly opposed by the seneschal, and by the attorney on the opposite side, upon this practice, that it was never known or heard of in Clare before, and that it could not be admitted; however I was fortunate enough, after a great deal of trouble, the matter being put to the jury, to get a duplicate of the lost decree.

1128. Did you get costs against the party opposing you?—I did not; I think I did not require costs, not being entitled by Act of Parliament to any.

1129. *Chairman.*]

1129. *Chairman.*] Have you been concerned in any case where a fresh decree for the amount of the original decree and costs was obtained?—I have known it to be the practice before I came, but I was concerned for the defence in a case since I came to Clare, and succeeded in upsetting such practice.

1130. Five shillings and sixpence, you say, are the costs charged; do you consider that, under the circumstances of the manor court of Kilrush, a legal charge?—Yes, I do consider it legal.

1131. Have you studied the Act of 25 Geo. 3?—I have.

1132. Have the goodness to refer to the items of costs allowed under that Act, and state whether one of the items is not a fee of 1 *s.* to the bailiff or marshal for summoning a jury?—It is 1 *s.* 1 *d.*

1133. No jury is summoned in the manor of Kilrush?—No.

1134. You conceive the bailiff or marshal entitled to keep that for a duty he does not perform?—I think not; but it is claimed by the seneschal, who remunerates, I should think, the bailiff for his trouble: it is a kind of emolument to the seneschal.

1135. Mr. *Redington.*] The fees are all paid to the seneschal?—Yes; he settles with his bailiff as he best can.

1136. *Chairman.*] The seneschal appointing the bailiff, makes terms with him that he shall receive the fees, and gives the bailiff a *quid pro quo*?—Yes.

1137. Whether the seneschal or the bailiff receives the fees, do you think the court is entitled to charge a fee for its officer for a duty which it does not render the performance of by its officer?—Strictly speaking, I think not; it is very unjust to charge it, certainly, though the Act of Parliament gives 5 *s.* 11 *d.* Irish for each decree.

1138. Mr. *Redington.*] Is there any fee paid to the bailiff for putting the decree into execution?—There is.

1139. *Chairman.*] It is 6 *d.* for the first 1 *l.*, and 3 *d.* for every 1 *l.* afterwards, is it not?—Yes.

1140. What duties does the bailiff do?—He serves the processes, attends and gives evidence of the service, and executes the decrees.

1141. Is no one but the bailiff allowed to serve the processes?—No.

1142. Mr. *Redington.*] In cases where the defendant does not appear, is the service of process always required to be proved in the court of Kilrush?—Yes, always; but the witnesses names are not taken down in that case.

1143. *Chairman.*] Is not the seneschal bound to put them down?—Yes; but the book is abominably kept; he ought to keep a book containing the names of the plaintiffs and defendants, and the witnesses sworn to give evidence, and the amount pronounced to be due; and he should, in point of fact, deliver a duplicate of that to the clerk of the peace for the county, to be kept as a record; but that is not done in the county of Clare. I believe the only person I have met with who strictly adheres to the provisions of the Act of Parliament in conducting manor courts, is Mr. Richard Fitzgerald, the seneschal of the manor court of Listowell; he is very regular.

1144. Mr. *Redington.*] Have you ever known a bailiff proceed to put a decree into execution, and not be provided with a copy of the decree or the original document, and still continue to seize the goods, though he had no authority to show?—Such a case as that never came before me.

1145. *Chairman.*] Are there complaints of the state of the law and the practice on the subject of appeals?—A great many complaints.

1146. In the first place, does the seneschal interpose any difficulty in the way of appeals?—I have known the greatest difficulty; I have been obliged to go from Listowell, in the county of Kerry, to Ballyhigh, for the purpose of compelling the seneschal to take an appeal.

1147. Was that long since?—It was two or three years ago.

1148. Who was then the seneschal of Ballyhigh?—Major Crosby, the present lord of the manor, the heir apparent of the then lord of the manor; it was stated to me as a reason, that there never had been an appeal lodged from that court, that they had no form; I was obliged to make out a form.

1149. In Clare, have you known any difficulty thrown in the way of persons who wished to appeal?—I cannot exactly say that there were difficulties thrown in their way; I have known the appeals to be informally drawn up, and consequently dismissed, and the original decree stand affirmed.

1150. By what sort of persons were those appeals filled up?—By the sene-

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schal, and hence it is, in many instances, that we hear of the seneschals' decisions not being reversed at the assizes.

1151. Does the seneschal insist upon drawing up all those appeals himself?—He does not insist upon it, but in nine cases out of ten, it is done by him, unless an attorney be employed, then of course he will not allow it.

1152. In all such cases, the state of the law is such, that the greater the incompetence of the seneschal, the greater the difficulty in reversing his decree?—Yes.

1153. Whereas the greater ought to be the facility for reversing his decree? Certainly.

1154. So that in that case, the law and the good sense of the thing, are diametrically opposed to each other?—They are; I have heard numbers of complaints on that very point; the poor creatures go with their witnesses a distance of 30 or 40 miles to the assizes to have their appeals tried, and they have been defeated at once, in consequence of the informality of the appeal filled up by the seneschal.

1155. With that difficulty thrown in the way of a *bonâ fide* appeal, is there not great facility given to vexatious appeals?—The greatest possible facility to vexatious appeals, for a person may appeal without giving any test that it was for the purpose of having his case properly decided on; in nine cases out of ten they are sent in for the purpose of gaining time, and for vexatious purposes.

1156. In those cases, the informality of the appeal, by whomsoever filled, does prevent a delay till the assizes?—Certainly.

1157. Even if the party appealed against should wish to get costs upon the appeal, which the informality would secure to him, is it not frequently better worth his while to stay at home than go to the assize town at a great distance from his residence?—Certainly.

1158. Do you not conceive that, if the manor courts be regulated by Act of Parliament, a great deal of evil might be avoided by giving an appeal, under certain restrictions, to the assistant barrister's court?—It has certainly struck me to recommend that there should be certain restrictions put upon appeals; I did not contemplate to have them sent to the assistant barrister's court, but I do think it would be a very essential benefit to have them tried by the assistant barrister, that that would bring justice home to the poor man's door.

1159. It might be fair in that case to require that juries should be empannelled in all such cases?—Yes.

1160. Would not the frequency of the court, and the much shorter distances the parties have to travel, both encourage just appeals and prevent vexatious ones?—I certainly think it would; but I also think one of the principal things which should be considered upon that point is, that a person should be prevented appealing unless he had just grounds to go upon, and that upon affidavit, to be filed, as in the case of the civil court at quarter sessions, by the suitor, or by an attorney, that he does so under the impression that he has a fair and reasonable hope of success, and that it is not for the purpose of delay.

1161. That however would be available only in such cases where a professional person was employed?—I should recommend, that where there was not a professional person employed, the suitor himself should lodge the affidavit.

1162. Would not the power of mulcting in extra costs make it more efficacious?—I think that should be imposed also; but persons, to save a short time, will lodge their appeal under feelings of excitement and vexation; but they should be required to swear, in the first instance, that they had just cause of appeal, and afterwards mulct them in costs if they did not succeed.

1163. Where persons would lodge an appeal under feelings of excitement, with the prospect of extra costs, do you not believe they would also swear affidavits under excitement?—An affidavit is too serious a thing, I think, to be trifled with in that way; they would, in matter of excitement, care nothing about money; whereas if you put the book into their hands, it would be quite a different thing.

1164. Do you think the class of suitors are generally persons who have so strong a reverence for the sanction of an oath, that they would not be induced by any excitement to perjure themselves?—No doubt some of them would; but I think many of them have an high idea of the moral obligation of an oath.

1165. May not the very excitement you mention prevent their judgment being quite clear?—There are instances where persons in the moment of excitement will do that which in their calm moments they will disavow, certainly.

1166. Considering

1166. Considering it in this view, that any tribunal to which the appeal is referred, whether judge or assistant barrister, may be more unwilling to decree against them for the extra costs, in consequence of the oath they have taken, considering that he will not only inflict a pecuniary loss, but the loss of character: do you not think that if the provision for the costs were made efficacious, it would be better that the affidavit of the party should be dispensed with?—That is certainly a new view of it that I have not taken before; I think that would have the effect of preventing the frequency of appeal.

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Lunæ, 9° *die Aprilis*, 1838.

MEMBERS PRESENT.

Lord Hillsborough.	Mr. M. J. O'Connell.
Mr. Mahon.	Mr. Redington.
Mr. Meynell.	

M. J. O'CONNELL, Esq., IN THE CHAIR.

Mr. *Denis Leonard*, called in; and further Examined.

1167. *Chairman.*] IN the manor court of which you spoke in your former examination, does the process by attachment, commonly called distringas, exist?—It does.

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1168. In the issuing those attachments is an affidavit required by the seneschal?—An affidavit is required by law, but I have reason to believe it is frequently dispensed with.

1169. When the law is complied with, and the affidavit is made, is it a simple affidavit of debt, or is anything contained in it relative to the danger of the loss of the debt by the party leaving the jurisdiction, or any other cause, unless the attachment be granted?—It is generally stated that the distringas is prayed in consequence of the fear of the party leaving the manor, and the plaintiff losing the debt in consequence.

1170. What is the cost of issuing an attachment?—I have never had one, but I believe it to be very trifling; I am not prepared to say what is the amount.

1171. Who executes it upon the goods of the defendant?—The bailiff or marshal.

1172. There is no special bailiff ever appointed for the purpose?—I have never known that.

1173. When the goods are seized under the attachment, are they usually left in the custody of the marshal till trial, or are they bailed?—On some occasions they are bailed, in other instances they are left in the custody of the marshal; they get into the plaintiff's care, who undertakes to keep them for the marshal; they are supposed to be in the marshal's custody, but the plaintiff takes charge of them till the trial comes on.

1174. Does the plaintiff give security to the marshal for the safe custody of them?—I have never known that required.

1175. Are they ever kept by the marshal himself?—Yes; if the goods happen not to be cumbrous they would, I dare say, be kept by the marshal himself.

1176. Has he a store or place for the custody of those goods?—No.

1177. Have you ever heard complaints of the deterioration of the property of a defendant during the time it remained in the custody of the marshal, or was under the marshal's authority?—This course of proceeding being so very unfrequent, I have not heard of complaints.

1178. Do those attachment cases usually proceed to trial, or is the debt settled before the time the trial comes on?—Generally speaking the debt is settled, when an attachment takes place, before the trial is brought on.

1179. A court is held you say once a month?—Yes.

1180. If goods were seized under attachment a day after the court day, they would be kept nearly a month in custody?—Yes.

1181. Does the hardship a party will suffer by the detention of his goods for so long a time, ever lead to the concession of claims which were not perhaps founded in justice?—There is no doubt that it has had that effect; but on the other hand, it is very beneficial, it ensures the payment of the debt.

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1182. Supposing the goods bailed out, and the trial comes on, how does that trial proceed; is it in the same form as an ordinary civil bill case, or is it by declaration and pleading, as in the superior courts?—By the common course of a civil bill.

1183. Can you say whether there is any peculiar authority in the charter of the manor of Kilrush, allowing that course to be taken?—I cannot say; I have not read the charter.

1184. Are you acquainted with any other manor courts in which the attachment process exists?—I believe it to exist in all the manor courts of Ireland; I do not know to the contrary.

1185. Have there ever been any disturbances in consequence of the execution of the attachment; any rescues?—Yes.

1186. Have many cases of that kind come under your knowledge?—Yes.

1187. Do the people ever, in practice, mistake this process of the court for a final decree?—I have not known an instance of that; the proceeding by attachment is resorted to only in extreme cases, and consequently very unfrequent.

1188. Have they ever received the goods taken by attachment?—I have never heard of that; the parties making the distress upon those occasions generally come well prepared to prevent a rescue, but I have never heard of an attempt.

1189. Does a court leet sit in this manor at Kilrush?—It has not sat in the manor since I went there.

1190. For how long a period is that?—A year and a half.

1191. Is its not having sat complained of?—I think not; the jurisdiction is so given to magistrates at petty sessions, which would otherwise be entertained by this court leet, that there have not been any complaints which I have heard.

1192. When the court leet did sit, what were its functions?—In the regulating, as it were, the amount and value of the damages in the manor committed, the number of beasts constituting what is called a collop; the grazing of land is let by so much a collop, and they regulate the number constituting a collop at those courts leet; it goes so far as to regulate the markets.

1193. How does that regulation of custom as to grazing come under the jurisdiction of the court leet?—I am not aware, unless it be constituted by charter.

1194. Even if it were regulated by charter, what is there to oblige the inhabitants of the manor to follow that custom?—The covenant in their lease from the lord of the manor is, that they shall do suit in the several manors; that obliges them to adopt those rules which are laid down by the lord for their benefit.

1195. Do they regulate any other matter?—Yes; I rather think that those courts leet were the origin of suits by petty action, of which I spoke on the former day; I think they regulated what amount of debt a person could decree on his own oath, and so instituted the action called the petty action of the court.

1196. In other words, you think they took themselves the functions of the Legislature with regard to the law for the recovery of small debts within the manor?—I think they did so.

1197. Are the agreements for the grazing of cattle, and those other things you have referred to, under the decision of former courts leet, still considered to be in force, and still attended to in practice?—I should think so, inasmuch as the amount and number of beasts constituting a collop in one manor may be different in the next, and that being the case, I should rather think it was the result of an arrangement made heretofore by the courts leet in the several manors.

1198. Are you sure that throughout the same manor the amount is the same?—In the same manor the amount appears to be the same throughout.

1199. Have you any positive knowledge upon that subject?—Indeed I may say I have; I have not known anything to the contrary.

1200. Not having been there yourself when the court leet sat, do you state what you have mentioned respecting their customs and arrangements from a general knowledge of the country?—Yes; and arrangements of the same description entered into and kept in other manors in the county of Kerry; for instance, a mare and foal in one manor may be called a collop, in another it may be called two collops, and even in a third manor may be called two collops and a half.

1201. Is the value charged for a collop in grazing considered a fixed sum?—It depends upon the nature of the land; and I think this arrangement of the value

value of the collop is entirely regulated by the kind of land that the jury have to deal with.

1202-3. In the court leet generally, what sort of juries are appointed?—The most substantial farmers about the country, who are always very punctual in their attendance on that inquiry, for their own sakes.

1204. Who presides at the court leet?—The seneschal.

1205. In the court of Listowel is that court used?—I have not known it there; but I have in the court of Ballylongford; and in that of Carrick Foyle, otherwise called Roxburgh, it is used; my brother was seneschal of that court, and he held the court leet.

1206. Supposing that the Legislature should determine to preserve the jurisdiction of the manor courts, are there any suggestions you would wish to make as to the improvements which might be made in those courts?—There are. I would suggest, in the first instance, that a competent person should be appointed to fill the office of seneschal; that that person should be taken either from the profession of an attorney or a barrister. I would suggest that he should have a decided power of keeping his court in proper order; the power of committing any person committing contempt in court, as at present possessed by the assistant barristers in their courts. I would suggest also, that there should be a heavy sum put upon the appellant in lodging an appeal, in order to prevent the lodging of vexatious appeals. I would suggest that the affidavits upon which the writ of distringas should issue, with all others the affidavits and records of this court, should be lodged with the clerk of the peace, to remain as records of the county. I would suggest that the fees payable should be lessened considerably; they are at present 5*s.* 6*d.*, and I should not allow more than 3*s.* 6*d.* for a decree, and the same for a dismiss; and I would suggest a longer time to be given for the execution of that decree than is now, which is from court-day to court-day, to prevent the necessity of renewal.

1207. A renewal fee is charged now if the execution is held over one court-day?—Yes; and I would suggest that that renewal should not be taken out without an affidavit, to be framed in like manner as to that required by the 36 Geo. 3 in civil bill cases, of the debt being due.

1208. Supposing that the office were limited to legal persons, as you would suggest, do you think any provision ought to be made against their practising professionally in any district over which they preside judicially?—My opinion is, that no attorney of respectability could be got to take the situation if such a provision were made in the bill; I do not think it would at all interfere with his professional duties.

1209. Mr. *Redington.*] What inconvenience do you conceive would arise from the abolition of the court altogether?—Great inconvenience in the recovery of small debts, petty debts; persons would prefer giving up a small debt of from 1*s.* to 2*s.* up to 1*l.*, rather than go to the quarter sessions court, where he may be kept for two or three days in attendance until his name be called on in alphabetical order as by the 6 & 7 Will. 4, whereas in the present case the business may be all done in one day with certainty; therefore, for the recovery of small debts, a decided inconvenience must ensue to the suitor.

1210. Do you conceive that the cheapness of a recovery in the manor courts is also a reason?—Certainly; a very powerful reason.

1211. Still you think that the fees in the manor courts at present are too high?—I do.

1212. What would be the effect of giving the magistrates the power of settling those small debts?—A most mischievous effect.

1213. On what ground?—Because they are generally as ignorant of the law as the seneschals, and cannot in any way understand the necessary pleading, unless a few who may be barristers, or the law with respect to certain points of evidence which may arise; their decision should be a record with respect to the rights of the parties; how could it be expected that magistrates should understand the laws of administration, for instance? They know nothing at all about those points of law and evidence which must necessarily arise in civil pleading.

1214. On the other hand, do not you conceive that unless a person very high in legal knowledge is put into the situation of seneschal, the present course is liable to the same objection?—The present course I altogether object to; and I should say, from my knowledge as an attorney in the practice of civil bill courts, which take under their jurisdiction the recovery of those difficult actions, that

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the magistracy as at present constituted could never be got to understand those knotty points.

1215. *Chairman.*] How long have the knotty points they administer been confided to civil bill courts?—Ever since they were first constituted; but as a proof of what I was saying, even in the Replevin Acts, the power given to magistrates was found not to work, in consequence of their total ignorance of the law.

1216. To return to the suggestion which you have made with regard to persons practising professionally in their own districts; you have stated that you see no objection to such a course; the last two or three Governments which have administered the affairs of Ireland appear to have seen objections to such a course?—I was not aware of that.

1217. Are you not aware that some years ago the assistant barristers used to be allowed to practise as barristers in the counties in which they administer the law?—Yes; I am aware of that.

1218. That power was afterwards taken from them, and there was a restriction placed upon them?—Yes.

1219. Since that, another restriction has been placed, which prevents assistant barristers from presiding in any county on the circuit on which they practise?—Yes.

1220. From all those regulations, it would appear to be the opinion of Government, that there is an unseemliness in the union of the two characters, in the same place, of an advocate and a judge?—Yes.

1221. Is not the same objection at least as strong when you come to consider the local jurisdiction of a manor court, and the practice of a professional man in the district to which the manor court belongs?—I do not think it is quite; the reason is this, that a barrister is put into a different situation altogether in his practice to an attorney; the attorney's duties are another description of thing altogether from those of the barrister, and upon that account I do not think that there is the same objection to attornies practising within their jurisdiction as barristers.

1222. What is the difference?—I cannot exactly bring a case up at present.

1223. Mr. *Redington.*] Do not you consider that an attorney practising in a district, and afterwards becoming an advocate in a court over which the attorney presides, from the nature of the attorney's profession, there would be much greater objection to his being an advocate, and presiding over a court, than there would be to a barrister being an advocate and presiding in a court, from the circumstance that he is more intimately connected with the affairs of his clients?—There should be a restriction, that he should not be engaged, in that particular case, on either side, on any appeal that might be lodged against his decision; that would provide a remedy.

1224. If there were objections to a barrister practising in a district in which he also presides at a court, do you not think that the objection is still stronger from the nature of the attorney's profession?—No; I cannot see why it should be stronger.

1225. *Chairman.*] The barrister in the case in which he is concerned, does not communicate directly with the suitor, but with the attorney?—Yes.

1226. The objection to the system formerly was, that it tended to create a suspicion of favouritism towards particular attornies, on the part of the assistant barrister; those attornies might be concerned for anybody?—Yes.

1227. An attorney who practices communicates directly with the suitor?—Yes.

1228. Supposing a suitor to come into court, and the same impression of favouritism, erroneous or just as it might be, to prevail, would not the suspicion, when directed towards a particular suit, be much more injurious to the ends of justice, than it would be if it was merely favouritism towards a particular advocate?—I cannot think so; I think an attorney who would be in the situation of judge in his court, taking the usual oath that he would do to all suitors in his court ample justice, never would be influenced to depart from that rule or that oath in any matter which came before him, no matter who the suitor was; and that class of persons who would come into the manor courts for the trifling amount of debt they would seek to recover, could never be an inducement to an attorney to depart from the moral obligation he would feel himself under as a judge.

1229. The question does not suppose that one in a hundred would do so; but might not an impression of that kind go abroad among the uninstructed people, which would be very prejudicial to the ends of justice?—Certainly; erroneous impressions

impressions may go out; but I think the benefit of such a thing would be greater than the injury felt, I mean the benefit of the court being conducted by competent persons.

1230. In a remote country district, would not an attorney who became seneschal, almost monopolize the business of that district?—I do not think it would interfere with his civil bill practice one way or another.

1231. Would it not increase his civil bill practice?—No; I use the word interference in that light, and for this reason, the class of people that come into the manor courts come in only for certain small debts, and really where there is such a choice of attornies to be had in the civil bill court, they will always go with their case where they think they can get the best value for their money.

1232. Mr. *Redington.*] Are the cases brought before the manor courts generally debts of long standing?—No, they are not; I have known but very few cases indeed of long standing.

1233. Are they not very often three or four months?—Yes, certainly; that is not called long standing in Ireland.

1234. The efficacy of the manor courts, in consequense of their being often held, you conceive to be an argument in their favour?—Certainly.

1235. It is a mere point of expense?—Yes; and the inconvenience of attendance.

1236. Is there not the same legal knowledge required in a manor court, in respect to the question of administration, as in the barrister's court?—There is.

1237. A barrister must be a lawyer of six years standing?—Yes.

1238. Do you think an attorney might be allowed to preside over a court where the same legal knowledge was required, though he was only an attorney of a few years standing?—I do not, and for this reason; I only used the argument of administration by way of example; the assistant barrister's court has such a very extended jurisdiction, and is regulated by so many statutes; the most difficult points of law are there brought forward and discussed. It might require very great knowledge to fill the situation of chairman with propriety; it is not so in the manor court, for they have not the power of trying cases to the same extent and importance.

1239. They do not require the same legal knowledge?—No.

1240. Then where is your objection to giving magistrates jurisdiction?—The magistrates know nothing at all of the law. I do not say that legal knowledge is not required, but by comparison with the assistant barristers' court, that there is not that extent of knowledge required to conduct a seneschal's court which there is to conduct an assistant barrister's court; and again I would recommend an appeal to the assistant barrister from this court.

1241. Your great argument in favour of the continuance of manor courts is, that it is necessary to have some other court to take up the small sums, which would occupy too much of the time of the civil bill courts?—Yes, and put the suitors to less expense in recovery.

1242. Strictly speaking, a question might arise in the manor courts which would require the same legal knowledge as those in the civil bill courts?—Yes, there is no doubt of that; then the utility of an appeal would arise; I should say that frequently such cases as that arise even in the assistant barrister's court, and I have known many assistant barristers recommend the party to appeal against the decision he gave, which appeared to me to arise from a doubt of its accuracy.

1243. Do you not conceive the evil you consider it necessary to remedy might be remedied by making the assistant barristers sit oftener than they do now; fewer cases would then come before them, and they would have more time to decide?—That would be virtually doing away with the necessity of manor courts altogether.

1244. Do you not conceive that would be preferable to establishing a second court in a county?—Yes; but I question whether, unless powers were given to assistant barristers, which they have not at present, it would be right to set aside certain manorial rights, which I look upon as the right of the inheritor of the soil; it is a part of the freehold of the lord of the manor, I conceive.

1245. You consider that compensation ought to be given for the abolition of them?—Yes.

1246. To whom would the compensation belong?—To the person filling the situation of seneschal.

1247. He is paid only by fees now; if there are no cases he gets nothing?—Just so; but there has been generally litigation in those manors, and there has been

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been a certain emolument realized by the stewards; when the lord of the manor had appointed a seneschal, who had filled this office until he had grown grey in it, and wasted that time he might otherwise use more profitably, it would be hard then to deprive him of his situation without any pension or remuneration; the office he has held so long is a part of the freehold of his lord.

1248. His salary is derived wholly from the fees in each case?—Yes, but still it is a salary and emolument, and in many cases no inconsiderable one.

1249. *Chairman.*] Do you think the lord of the manor would be entitled to a remuneration for the loss of the patronage, supposing the court abolished?—Not a single penny; for the power given to him is for the purpose of settling the disputes of his tenantry, which, I think, every lord of the manor should do; and I consider it would be a hardship upon those persons who have been in the situation for many years, to be deprived of their office, and the emoluments arising from it.

1250. Are there any further suggestions you wish to make?—Yes; I would suggest that the same description of oath which is put to assistant barristers in the civil bill courts, should be administered to seneschals on their appointment, to be filed in the clerk of the peace's office, that they will do equal justice to the parties in their courts.

1251. Mr. *Redington.*] In case of an appeal, you have recommended lodgment; on giving notice of appeal, do you not think it will be much fairer to allow the judge who tries the appeal to give costs against the party?—No; for this reason: I have found appeals from these courts to be lodged for the purpose of gaining time; that is done at a trifling cost, I believe it is a shilling; the defendant may keep the plaintiff out of his debt, perhaps to his ruin, for five or six months, by the simple lodging of his appeal; immediately before the assizes he will give him notice of withdrawing his appeal and paying him his debt, and the plaintiff thus suffers an absolute loss; as a remedy for that, I think an oath should be administered, as recommended on the last day I gave evidence.

1252. Do you recommend a lodgment to be made by the party appealing?—I think it would be a very good thing; but I think the oath I suggested, and the increase of costs on the lodging of the appeal, would answer all ends.

1253. *Chairman.*] Supposing your suggestion were to be adopted, confining the seneschalships to attornies or barristers, what do you think would be the proportion of attornies who would become seneschals to that of barristers; would the number of attornies be greater or less?—I think the number of attornies would be greater.

1254. Have you any doubt upon that subject?—I have not.

1255. Do you know of any large district of country over which there are no manorial courts?—I do not; they are almost in every part of the south of Ireland.

1256. Have you ever been in the neighbourhood of Tralee?—I have.

1257. Is there any manor court there?—At Abbedorney, I believe not nearer than that.

1258. At Ardfert?—Yes, and Ardfert.

1259. If your suggestion be adopted, would it not be desirable to extend the jurisdiction of small debt courts to any districts over which no other courts at present exist?—Undoubtedly of very great use; and, if possible, where there are two or three small manors, to bring them under one seneschal, if the clashing of the several privileges of the lords of these several manors would not be an objection.

1260. Do you wish to make any addition to your answer to question 1166, asked you on a former day?—I do. I do not so much complain of the frequency of appeal, as of the loss suitors are put to by reason of being kept out of their money by vexatious appeals, sometimes for five months, without any probable reason to believe the appellant would succeed upon the trial; and I have frequently found, indeed I may say in nine cases out of ten, that the debt is paid immediately prior to the assizes, and a notice served withdrawing such appeal; for this reason I recommend the affidavit I have alluded to.

[*The following Paper was delivered in.*]

Mr. *Denis Leonard.*

9 April 1838.

ENTRIES each Court-day in the Manor of *Killultagh.*

	Entries.	
19 April 1837	50	Sessions in Belfast.
10 May –	31	
31 D° –	31	
12 July –	19	Sessions in Belfast and Antrim.
23 Aug. –	71	
13 Sept. –	27	
4 Oct. –	36	
25 D° –	41	Sessions in Belfast and Antrim.
15 Nov. –	56	
6 Dec. –	58	
27 D° –	41	
17 Jan. 1838	45	Sessions in Belfast.
7 Feb. –	64	
1 March –	53	
21 D° –	69	
	692	

N. B.—The quarter sessions in Belfast commence 3d April.

In the former returns of this Court, the greatest number of entries in any one year only amounted to 526, which shows an increase of 166 entries on the above return, although there will be another court held before the termination of the year commencing from last return.

Extracted from the Records of the Court, 2d April 1838.

(signed) *Robt. Gregg,*
Seneschal.

Lisburn, April 2.

Jovis, 3° die Maii, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Mr. Jephson.
Mr. M. J. O'Connell.	Mr. Redington.
Mr. J. O'Connell.	Mr. Villiers Stuart.

MAURICE JOHN O'CONNELL, ESQ., IN THE CHAIR.

Mr. *Thomas Cochrane*, called in; and Examined.

Mr. *Thomas Cochrane.*

3 May 1838.

1261. *Chairman.*] OF what profession are you?—An attorney.

1262. Where do you reside?—At Ballyconnel, in the county of Cavan.

1263. Do you practise locally in the county of Cavan?—I do.

1264. In the quarter sessions courts?—Yes.

1265. Do you ever practise in the manor courts in the county?—I have not for these many years.

1266. In the course of your business have you had any experience of the proceedings in manor courts up to the present time?—I have.

1267. If I understand you rightly, you have formerly practised in them?—I think I was three or four times in the Ballyconnel courts, professionally concerned.

1268. What is the name of the court at Ballyconnel?—The Manor of Gwilliambrook.

1269. Are you acquainted with any other manor courts in any other part of the county?—I am acquainted with the manor courts of Clonkine and Cortubber.

1270. Any other courts in that county?—Not that county; I was particularly acquainted with one in the county of Fermanagh, immediately adjoining the county of Cavan; it comes within a mile of where I resided.

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1271. What is the name of that?—The Manor of Laggan.

1272. Is that court still in existence?—It is not.

1273. How long has it fallen into disuse?—I should think about a year and a half, or two years at the furthest.

1274. Is there no seneschal existing of that court?—No; there was a seneschal of the name of Surplice, but the property was sold by Mr. Balfour to Mr. Creighton, and Mr. Creighton, immediately on purchasing the property, discontinued the court.

1275. Mr. *Villiers Stuart.*] Did the seneschal die?—Not until after the property was purchased. In consequence of the loss of the court, Mr. Creighton, I heard, allowed him a compensation of 10 *l.* a year.

1276. By way of pension?—Yes.

1277. *Chairman.*] Did he consider that a fair compensation for the loss of his office?—I think so; from his rank in life, I am sure he did.

1278. It appears from the return that the jurisdiction of the courts you mention, in the county of Cavan, does not extend beyond 40 *s.*?—The jurisdiction of the court of Ballyconnel extends to 5 *l.*; but it has never been exercised beyond 40 *s.* within my recollection; it extends, by the patent, to 5 *l.*; it is the only one that does so in the county of Cavan.

1279. By whom was that granted?—It was granted in the 3 James 2 to Meridith Guillem, esq.

1280. Besides the court leet and court baron, does the grant use the term "court of record" also?—It does.

1281. Does it give a power of attachment against the goods?—It does, and a *capias* against the person also.

1282. Is that process against the person acted upon?—It is not; there is no prison within the manor.

1283. The seneschal, in his return to this Committee last year, states "there has not been any court held for the last four years, as there was no business. The quarter sessions are frequent in this division of the county, and are held twice each year in Ballyconnel (where the manor court was held), and the facility this affords to recover sums of small as well as large amount has removed the business, formerly done at the manor court, to the quarter sessions;" does that consist with your knowledge of the fact also?—Not precisely; I understand the reason that no court was held, was in consequence of some proceedings which I took against a plaintiff who took some goods under an attachment; and the assistant barrister gave a decree, in favour of the defendant, in the manor court below, and no proceedings have been had since.

1284. What was the nature of that case?—It was one of those cases where an attachment was granted against the goods; and the case I brought was heard in the October sessions in 1833, before Mr. Major, then an assistant barrister in the county of Cavan.

1285. Did that case proceed to a verdict in the manor court?—It did; there was a verdict for the plaintiff in the attachment.

1286. Upon what grounds did you get a decree for the defendant in the assistant-barrister's court?—The ground was, that they seized property belonging to another person; and, notwithstanding an affidavit made before Mr. Jones, a magistrate of the county, since deceased, they persevered in keeping the goods until the decree was pronounced: after they persevered in keeping them, I advised the defendant not to appear in the court, and not to make any defence to it.

1287. And did he appear?—I should rather think not.

1288. Mr. *Villiers Stuart.*] Was there any application to bail the goods?—There was not. I had four copies of the affidavit made altogether; one by the party to keep, one was served upon the plaintiff in the attachment, one upon the seneschal, and one upon the bailiff.

1289. And what notice was taken of that?—There was no notice whatever taken of it; they persevered in keeping the distress on.

1290. *Chairman.*] Of course you did not bail the goods?—No, I did not, because that would be acknowledging the goods to be the property of the defendant.

1291. How were the goods seized; were the goods in the occupation of the defendant when they were seized?—Not in the occupation of the defendant in the attachment; they were in the occupation of my client.

1292. Then

1292. Then did they mistake the person?—I should think not; they could not have mistaken the person; they mistook the property; but, after the affidavit was lodged, I conceived they ought to have given up the goods. The seneschal's brother is a magistrate, and I sent the party to make an affidavit before him; but he did not wish to interfere in it.

1293. How came the goods to be seized as the property of the defendant?—The goods were the property of his mother; the son was a young man living in the same house, and the attachment was against him.

1294. Mr. *Jephson.*] Both parties lived in the same house?—Yes, I believe so.

1295. And there was a suspicion of a fraudulent collusion, I suppose?—Yes, I suppose there was in that case.

1296. Mr. *Villiers Stuart.*] In such a case as that, could not the party obtain a replevin?—At that time replevins were very expensive; you must go into the Court of Chancery, and it would cost 6 *l.* or 8 *l.*

1297. Is that the case now?—No; but the assistant barristers have determined that it only applies to rent.

1298. Mr. *Jephson.*] Could not the sheriff give a replevin?—That is very seldom done in the county of Cavan.

1299. Would he not be bound to grant a replevin in point of law?—I do not know whether, in point of law, he would be bound or not; I know he very often refuses.

1300. Mr. *Villiers Stuart.*] But in the case of goods improperly seized, what remedy has the party?—He may bring an action; that is the only remedy I could point out to the party in that case, and they obtain the value of their goods from the party taking them.

1301. *Chairman.*] That is the remedy generally recommended by professional gentlemen in such cases?—That was the least expensive.

1302. What was the decree the party got?—I think 2 *l.* 10 *s.*

1303. You seem to trace to that reversal of an illegal decision of the manor court, the discontinuance of all proceedings in that court?—I do; I remember the bailiff, in coming up to produce the decree as his justification, was told by the assistant barrister that the decree was no justification for what was done, and, in going down off the table, he said, "Our court is broke."

1304. Mr. *Jephson.*] That is to say, the assistant barrister said, "A decree against A. was no authority for seizing the goods of B." ?—Precisely.

1305. Might not that *dictum* of the assistant barrister be equally applicable to goods seized by the bailiff under a civil-bill decree, or a sheriff's decree?—Yes, it very often happens. In the last sessions of Cavan, I saw the assistant barrister give large damages where a party sold under a civil-bill decree.

1306. Similar mistakes frequently occur under the decrees of other courts?—Certainly it may, and does very often occur, under decrees of the assistant-barrister's court; it is a thing for which a remedy is very much wanted.

1307. *Chairman.*] But in this case, was not confidence shaken in the seneschal as well as the bailiff, from his refusing to entertain applications from your client previous to the case coming on?—I must think so from his not holding the court since; I have not heard of any application to him since to hold one.

1308. How often did he hold the court before?—Generally every three weeks.

1309. Did he hold courts leet?—I heard that his brother held one formerly, for the appointment of a weigh-master to regulate weights, and a constable, but not for 20 years. The present seneschal had only acted once or twice, I believe, prior to the time the court was discontinued.

1310. Mr. *Villiers Stuart.*] Was there much business in that court previous to the time you have mentioned?—It declined very much of late; I think the average number of cases entered was 9 or 10.

1311. Mr. *Jephson.*] Was the decree of the assistant barrister pronounced against the seneschal or the party?—Against the plaintiff in the attachment.

1312. Then, in fact, the error committed was the error of the party in pointing out to the party that the goods belonged to the defendant?—I conceive, in that transaction, the bailiff was as much to blame as the plaintiff in the attachment; he lived contiguous to the party, and must have known the fact.

1313. How would the sheriff have acted in such a case? Supposing the sheriff had seized the property of the wrong person, under a misrepresentation by the party who had pointed it out as the property of the defendant?—If the sheriff

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seized under an execution out of a superior court, he would hold a court of inquiry himself, after the claim was made, as to whose property it was. The assistant-barrister's decrees are executed by special bailiffs.

1314. Then, in case of the sheriff's bailiffs taking goods under similar circumstances, would he not be very much guided in his conduct by the bail tendered, on what he conceived to be the fairness of the representations of the party claiming the goods?—The sheriff's bailiffs under an execution go accompanied by the plaintiff, or some person to point out the property, and if any of the property seized is claimed by affidavit, the sheriff holds a court of inquiry in the town.

1315. *Chairman.*] But the special bailiffs act directly at the peril of the plaintiff?—Yes, and not at the peril of the sheriff at all.

1316. Is that set forth in his warrant?—It is.

1317. Mr. *Villiers Stuart.*] From your acquaintance with manor courts, have you ever known the seneschal to hold any inquiry where there has been such a claim to property seized?—I have known it done in Killesandra, in the manor of Clonkyne and Cortubber.

1318. But it is optional with the seneschal; he is not bound to do so?—No, he is not; there is nothing in the law binding him to do so.

1319. In these attachment cases, after the goods are bailed, what is the proceeding then had?—Immediately after the attachment issues, the case is heard the next court day upon the return of the attachment. The only court I ever knew, where I conceived it in any way gave the defendant a proper opportunity, was the court at Swanlinbar, in the manor of Parsonstown, and that court is also given up. The property has been sold by Mr. Thompson, the lord of the manor, to Mr. Burrows.

1320. And the new purchaser in that case has given up the court?—Yes; the court was held for a certain time, but now Mr. Burrows does not wish the court to be held.

1321. In the case of an attachment at the time the goods are seized, and either detained in custody or bailed, are any further proceedings held by civil bill, or by pleadings, as in a court of record?—In the court of Swanlinbar, the court day after the goods were bailed or kept in custody, there was a declaration filed, stating the cause of action, whatever it was; the defendant then had till the next court day to produce his witnesses and enter upon a defence; but neither in the court of Gwilliambrook, where I live, nor in Killesandra, is that course adopted at all.

1322. And then they added the civil-bill processes to the attachment?—They did at Swanlinbar.

1323. Have you ever known any point to be raised upon the legality of such a proceeding?—On the 21st of March last, there was a man of the name of Wiggins residing near Killesandra; a cart of his went into Killesandra, and was seized under one of these attachments; it was on the evening of the Wednesday or Thursday the court was held; the case was proceeded upon; there was a decree against him, and they held the cart in custody; I brought a civil-bill process against the sheriff, a man of the name of Kenny, for the value of the cart, at the sessions which were held in Ballyconnel on the 3d April, and on the morning on which the trial was to take place, which was Thursday morning, the parties gave up the cart, paid him all his costs, and the plaintiff forgave the debt.

1324. What was the amount of the debt?—I think the debt was 16*s.*

1325. I do not mean generally illegal practices; but the legality or illegality of that practice of mixing up the statutable jurisdiction by civil bill, with common-law jurisdiction created in the charter, by attachment?—I cannot say as to that; I never had any opportunity of knowing whether it was legal or illegal.

1326. It is a common practice in that part of the country?—It is the practice of those two courts.

1327. Mr. *Villiers Stuart.*] What was the cause of the Swanlinbar court ceasing to exist?—The first cause was, that Mr. Thompson, the late lord of the manor, gave a deputation to the Rev. Mr. Grattan, who was then his agent; in the deputation he did not put the words "during his will and pleasure." When he was removed from being agent, Mr. Thompson gave a deputation to a Mr. Johnson, who is now a lieutenant in the 70th foot, I think. Mr. Johnson, on going to act, was served with a notice by Mr. Grattan, that, under the opinion of counsel, Mr. Thompson had no power to transfer his deputation. I think immediately after there was an order from the bishop, that Mr. Grattan, being a clergyman, should

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should not act. There were some complaints made about it, and the court fell to the ground.

1328. Is Mr. Grattan alive still?—He is. He would never give up the deputation of Mr. Thompson; but I understand he would give it up to Mr. Burrows, but Mr. Burrows would not appoint a seneschal, and he has not upon other property he purchased also.

1329. It was the lord of the manor then who objected?—It was there, and in the manor of Laggin also, which is a very extensive one.

1330. Mr. *Jephson.*] In point of fact, the lord of the manor appointed another seneschal in Mr. Johnson?—Yes.

1331. And that seneschal could not act, inasmuch as there was another individual holding the deputation?—Yes.

1332. And the lord of the manor is restrained from appointing another?—No, the property has been since transferred.

1333. Who is the present lord of the manor?—Mr. Robert Burrows, of Stradown House.

1334. If Mr. Grattan's deputation was still valid and in existence, the present lord of the manor would have no more right than Mr. Thompson to appoint a seneschal?—Certainly not; that was the opinion of counsel at that time.

1335. Mr. *Villiers Stuart.*] Have you no reason to know of the present lord of the manor's objections to the court being held?—Yes, I have; he purchased some other property which was adjoining to a part of the manor of Coranary, and I understand he withdrew the deputation, and would not allow the seneschal to act in his part of the manor.

1336. *Chairman.*] He purchased part of the manor?—Yes; that very often happens. The manors I have been speaking of have been divided.

1337. Have the manorial rights been divided also?—I cannot say how that is.

1338. Mr. *Jephson.*] In the other manor you speak of, did Mr. Creighton, in refusing to appoint a seneschal of that manor, act upon his own individual opinion, or was he urged to the step he took in not appointing a seneschal, by the representations of the inhabitants of the manor?—I am sure that what he heard of the conduct of the seneschal, and the manner in which the business was conducted there, made him not appoint another.

1339. Mr. *Redington.*] Has there been any complaint on the part of the inhabitants of any inconvenience from these courts being discontinued?—No; on the contrary, I think they are very glad of it. Mr. Creighton has established a much better court upon his property.

1340. *Chairman.*] Are any of these places far from the quarter sessions town?—Yes; part of the manor of Parsonstown is very far; it runs into a district called Glangevelin, which is 18 miles from Ballyconnel.

1341. Mr. *Villiers Stuart.*] I think you say Mr. Creighton has established some other court?—Yes, he has.

1342. What kind of court?—He has established what he calls "An Estate Court."

1343. What is the nature of that?—Any of the tenantry upon the different estates that have any complaints to make with regard to trespasses, or any of those matters, lodge their complaints with one of the bailiffs of the estate; he forwards it to Mr. Creighton's clerk, who then issues a notice to the parties to attend at the court, at which he and his agents and agriculturists sit; and there they settle the matter; they hear both parties, and have the matter arranged between them without any costs. Any criminal matters he refers to the petty sessions at Darrylin, which he attends himself. It gives a great deal of satisfaction on the estate, and has caused a great decrease in the petty sessions business at Darrylin in consequence.

1344. Those are matters in which both parties are tenants upon Mr. Creighton's estate?—Yes.

1345. Any dispute between them and their neighbours who are not tenants would go to the petty sessions at Darrylin?—It would, of course; his property extends very far though.

1346. With regard to these manor courts, in what places were they held?—The one at Ballyconnel was invariably held in public-houses; in three different public-houses at three different times; I have summonses here, mentioning the names of the different houses.

1347. Will you deliver them in, if you please?—[*The Witness handed in the same*].

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1348. Ballyconnel is a quarter sessions town, is it not?—It is.

1349. How long has it been so?—Since the assistant barrister's court was established; before my memory.

1350. There has always been a court-house there?—There has. That Henry Thomas Watt, whose name appears in one of the summonses as a publican, was the keeper of the court-house.

1351. Could that seneschal easily obtain the use of the court-house to hold the court in?—Yes, his brother held the key. My stable was the court-house before the present court-house was built; that is, before the year 1833; and his brother lived in the house I now live in for some time, and had the key of the court-house.

1352. Mr. *Villiers Stuart.*] Then it was you who turned the court-house into a stable?—It was the county rather; they built a very fine court-house in Ballyconnel, and then the old house was disused.

1353. Mr. *Jephson.*] What sort of court-house was used before the present house was built?—It was built in the yard of my house, for the use of the sessions, and the persons who lived in the house had the use of it between the intervals of the sessions.

1354. Then it was the property of the person who occupied the house?—No, it was the property of the county, who paid rent for it.

1355. It was rented by the county for the use of the sessions?—Yes.

1356. Then in the intervals between the sessions, was it made use of by the occupier of the house?—That Mr. Watts up to the time of the alteration was the court-house keeper, and he was also keeper of the new court-house, but the key was generally left with the occupier of the house I live in, and it was used as a barn, or for other purposes.

1357. But it was only used for the purpose of holding the quarter sessions in?—No; the petty sessions was also held there every week, and the road sessions.

1358. But are you aware that the seneschal has no right as seneschal to make use of the county court-house?—Yes; but I am quite aware he could obtain the use of that court-house if he thought proper.

1359. *Chairman.*] The house at the time you speak of was occupied by the brother of the seneschal?—It was part of the time that Mr. Watts also lived there; not at the time he kept the public-house, but for a year or two before. I have also a decree of that court in the year 1795.

1360. In these public-houses where the court was held, was there generally sufficient room to accommodate the court and the auditors?—In Smith's house there was a large room where the court was held, to the left of the door as you went in, a pretty large room; the other houses were rather small.

1361. Was order well kept?—Pretty middling.

1362. Have you been present at the proceedings sufficiently so as to give an opinion whether it was a disorderly court or otherwise?—I have seen it a disorderly court; it was invariably the rule there, whenever each party got a decree, that he was obliged to lay down from 10*d.* to 15*d.* for whisky.

1363. Was any name given to that payment?—It was for punch.

1364. It had no legal name?—No; the verdict was never read to the plaintiff, only he was told he had a verdict, and he was never told the amount till he laid down the 10*d.* or 15*d.* for whisky.

1365. In the presence of the seneschal was that done?—It was done by the seneschal.

1366. To whom did he give the amount?—To the jurors and to the plaintiff.

1367. I mean who was treasurer to receive the money?—He received it; it was laid on the table; that William Smith the publican, who kept the house, was generally foreman of the jury.

1368. Were the jury ever summoned?—Never to my knowledge; I am sure they were not.

1369. Were they taken from the by-standers?—There were perhaps half of them who were pretty regular attendants at all times, in consequence of the sport they had in it; I have seen the bailiff stand at the door, it was generally a market-day, and call indiscriminately any persons he saw in the street. I am sure there never was a summons issued.

1370. Have you known any of the bailiffs ever issue any summons?—I am sure there never was any written summons sent.

1371. Were the costs in those courts ever reduced in consequence of no summons

mons being issued?—No; the costs were always 5*s.* 11*d.* or 5*s.* 6*d.* of the present currency.

1372. You are aware that, out of that, 1*s.* is allowed to the bailiff for summoning the jury?—I am.

1373. And though the duty was not done, the fee was charged?—Yes; there was 1*s.* 6*d.* charged for the cost of the summons; the seneschal kept 6*d.* of it for the bailiff for serving the processes; he then charged 2*s.* upon the entry of the process, and 2*s.* for the decree.

1374. Have you been acquainted with the courts which are in existence in your neighbourhood, the courts of Clonkyne and Cortubber?—Yes.

1375. Is the same practice followed there, holding the court at public-houses?—No; the court is held in the market-house of Killesandra. The seneschal was the keeper of a public-house till within the last 12 months, and Mr. Southwell made it be held in the market-house.

1376. How long has it been held in the market-house?—Always within my recollection; it was held in a private house by Mr. Ellis, the late seneschal, but not in a public-house.

1377. Who is the lord of the manor?—Mr. Southwell.

1378. Mr. *Villiers Stuart.*] Have you much acquaintance with that court?—Yes, I have.

1379. How does it work?—There is not much business in it; I should say the number of entries would be seven, eight, or nine in a day. The seneschal does not hold the court constantly in Killesandra; for the convenience of the people he goes up to Scrabby, which is about six miles from Killesandra, at the extreme end of the manor.

1380. Is it a large manor?—It is a large manor; I should say it is about six or seven miles in length, and, I should suppose, four in breadth.

1381. It contains a considerable population?—It does, and a very respectable population too.

1382. Is the seneschal a respectable person?—In point of honesty he is a very respectable person, in my opinion; but he is very old, and I think not much versed in proceedings of that kind.

1383. That is a very small number of cases in proportion to the size and the population of the manor?—They are not poor people, and that perhaps may account for it; when the process is issued, they generally settle it.

1384. Do you know whether there are many cases of debts from that district tried at the assistant barrister's court?—A great number.

1385. Then you suppose that they prefer the assistant-barrister's court to the seneschal's?—I am sure they do in every part.

1386. *Chairman.*] Are the majority of the cases that come to the assistant-barrister's court above 40*s.*?—Without taking an abstract of the clerk of the peace's book, I could not answer that; but generally I should think they are above 40*s.* The town of Killesandra is a good town, with a number of shop-keepers in it, and, if they bring civil-bill cases to the quarter sessions, they may as well bring small ones as large ones. They are now taken alphabetically, and each plaintiff's cases all come on together. That has been a great convenience, for a man knows now at what time to send his witnesses, and they are not kept as heretofore.

1387. Does the practice of paying a fee for drink prevail in that court?—I never heard of it; I made inquiry, and I am sure if it did I should have heard of it; it never did that I know of.

1388. Then connecting the fact, that in the court which is held at a public-house that practice prevails, and in the court which is not held in a public-house, though presided over by a person who kept a public-house, no such practice prevails, do you not think it important that these courts should not be held in public-houses?—Decidedly.

1389. Is there not a difference in the class of jurors in those courts held at public-houses and the jurors in other courts?—The people about Killesandra are respectable farmers, the tenantry of Lord Farnham and Mr. Southwell; they hold more ground and are more respectable than in the Ballyconnel district; it is a very mountainous district, and they are persons holding about 10 acres of ground each.

1390. Mr. *Villiers Stuart.*] Are the jurors of Killesandra generally farmers or town people?—I was speaking to the seneschal some days ago, and he com-

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plained to me that he could not get the town people to attend, even by summons. He said he should prefer the town people, as they were upon the spot, and they were very respectable people; he could find an excellent jury in the town of Killesandra; in fact, a great many of the shopkeepers are uponthe record jury of the county.

1391. Is their objection to serving on the juries, that they do not consider the court very respectable?—No, I do not think it is; it is to save themselves trouble.

1392. They are not sufficiently interested in the proceedings?—They are not at all interested in the proceedings; of course, if they had any process themselves in it, they would not be eligible to sit.

1393. Mr. *Redington.*] Do the shopkeepers in the town of Killesandra proceed for small debts under 40*s.* in the barrister's court in preference to the seneshal's court?—I think, since the Act amending that court, they do; there has been a great increase in the civil-bill business in our county since that time. I must mention, that since the 7 & 8 Will. 4, there has been an additional sessions held in the town of Cavan; it is held four times instead of twice a year. It was held alternately with Ballyconnel, now it is held twice a year in Ballyconnel, and it is now held in Cavan four times, in April and October also, as well as Ballyconnel.

1394. Then it would be no inconvenience to the public of Killesandra, if that court were abolished?—I think not; they are six miles from Ballyconnel on one side, and six miles from Cavan on the other.

1395. *Chairman.*] Is there any division of the county for Ballyconnel?—There is a division for Cavan, but not for Ballyconnel.

1396. Where is the sessions held for the other division?—At Ballyborough and Cootehill.

1397. In giving that additional sessions for one division of the county, they have not subdivided divisions?—They have not; it is of the greatest inconvenience at present.

1398. Now a vexatious plaintiff may take a party from the extreme north-west of your county to Cavan sessions, instead of to Ballyconnel?—Yes; at the last October sessions for the county there were, I believe, about 200 processes for tithes brought to Cavan from a part of the county at the extreme end of it, called the parish of Killena, adjoining the county of Leitrim; that is near 40 miles from Cavan, and Ballyconnel lies between; you must go through Ballyconnel to go to Cavan; and those people were brought there mostly for 1*s.*, 1*s.* 6*d.*, or 2*s.*, the value of a year's tithes; I was concerned in defending some; and they were kept there from Sunday, having to enter their summonses on the Monday morning, and, being the letter L., they did not come on until Saturday, and most of the parties had no leases, and so were not liable.

1399. Mr. *Villiers Stuart.*] You say those small sums you are speaking of were for tithes?—Yes, for tithes for one year; they owed no more.

1400. Was that for ecclesiastical tithes?—Yes.

1401. *Chairman.*] In that court of Ballyconnel, where the practice of giving drink to the jurors prevailed, have you ever known also disorders to arise in consequence?—I cannot exactly say; the cases were generally not more than six or seven in number, and they had not time to get into disorder till after the cases were over, and then they generally had a whip, as it is called, an additional contribution among themselves.

1402. That was when there was a bad court?—Yes; of course, the quantity of drink depended upon the number of cases.

1403. I suppose there never was a case, however great the number of cases tried, in which any part of the funds was reserved for the next court day?—I never heard of it.

1404. Were the parties themselves ever partakers of the good cheer for which they paid?—Yes, the winning party was.

1405. Did the seneschal ever preside over their after deliberations?—I rather think not; the seneschal was a most abstemious, simple, inoffensive man as could be; I mean the brother of the present seneschal. He is now dead.

1406. But he allowed the collection for this purpose to go on openly in court?—He did allow it; but it is right I should mention, that within my memory I have heard persons say there was a court leet held there, at which, in former periods, respectable inhabitants of the manor attended, for the purpose of appointing a weigh-master, and overseer of weights, and a constable, at which there

was a leet dinner, and I rather think the usage came down from that; at all events, the seneschal himself was a very good man, and one of the most abstemious men that could be.

1407. Did the jury often retire to consider their verdict in any disputed case?—I never knew many disputed cases to be brought before them; at least cases that they were not able to settle in a few moments. The seneschal sat in the room with them after the room was cleared.

1408. The room was cleared for the jury to deliberate?—Yes, for a few moments; and the seneschal and the bailiff stopped in with them.

1409. Mr. *Redington.*] Used the seneschal to address them after each case?—No, I never heard him address them; I am sure I never did while I was there, whatever he might have said to them after the people left the room.

1410. *Chairman.*] Have you any reason to think he did speak to them then?—I have reason to think whatever side the seneschal took had great weight with the jury.

1411. Then, in fact, there were 14 jurors instead of 12?—Yes; and I think the seneschal and bailiff were as good as four jurors.

1412. And the judge, instead of charging them in open court, you have reason to believe addressed them in the jury-room?—I have reason to believe he spoke to them; I do not say he addressed them.

1413. Have you ever known them hold over two or three disputed cases till they went through the list, and deliberate upon them all at once?—No, I have not; they generally decided the cases one by one, except they were publicans' cases, where one witness would prove a couple of them, and they lie over till both were heard.

1414. Are the juries always of the full number of 12?—Always, I never heard of less.

1415. Are many of the seneschals that you are acquainted with magistrates of the county?—There is only one, Mr. Powell, seneschal of the manor of Coranary and Cootehill, who is a magistrate of the county of Clare.

1416. Mr. *Jephson.*] How is that court conducted as compared with the other courts you have described?—I can only speak from hearsay; I know it is held in a public-house. I can produce a decree upon an appeal from that court. [*The same was handed in.*]

1417. *Chairman.*] Was there anything particular in that case from which you produce the decree?—Yes; and it is very much complained of, that in every case he charges a fee of 2*s.* for an attorney when no attorney attends.

1418. The statute allows a fee of 2*s.* to be charged?—Yes; but I think not against the defendants; for the statute says the costs shall be only 5*s.* 11½*d.* It is a fee that the party will be at the loss of.

1419. Is not that one of the inconveniences of having persons not acquainted with legal phrases, or the construction of Acts of Parliament, to preside over courts of this kind?—I should think so.

1420. Is that gentleman a respectable magistrate of the county?—His father was a most respectable man.

1421. Has he been long a magistrate in the county of Clare?—I think about eight years.

1422. May not a man be very intelligent and respectable as far as the discharge of his duty as a magistrate, and at the same time be ignorant of these legal niceties, which it requires some experience of the law to understand?—I think if a man attends to his duty as a magistrate, it would very much assist him in his duty as seneschal. I am in the habit of attending at the petty sessions, as I have been concerned for some years in excise cases as a solicitor, and I have not seen Mr. Powell attend the sessions more than once or twice.

1423. That gentleman is seneschal of the manor in the neighbourhood of Cootehill?—Yes.

1424. Mr. *Jephson.*] Do you not think the duties of a magistrate require as much knowledge in construing Acts of Parliament as the duties of a seneschal?—Yes.

1425. And yet you say this gentleman, who is a magistrate, is not qualified to construe an Act of Parliament properly?—Perhaps he might be, if he applied himself to it.

1426. Do you think we could have a greater security for the proper qualification of magistrates from their being taken from the same class as the magistrates are taken from?—No doubt they are sufficiently qualified. I may mention that

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between the very same persons there was a second decree at a court held on the very same day, and the very same fees charged on the second inquiry, and the united debts only amounted to 21*s.*, and there was 16*s.* 4*d.* costs put on. The defendant lodged an appeal against both. The debt in one case was 13*s.*; that was reversed by the judge, and the other was compromised; it was for a matter of trespass.

1427. Mr. *Jephson.*] That was an appeal to the assizes?—Yes.

1428. Upon what grounds?—That the witness could not prove a shadow of a debt due from the defendant.

1429. Was any part of that appeal grounded upon the fact of the attorney's fee having been charged?—No; that fact was mentioned to the judge, but he said he had nothing to do with that matter.

1430. Who was the judge?—Mr. Baron Pennefather. He said he had nothing to do with it; there was another way of proceeding against the seneschal if he charged improper costs.

1431. What did he mean by that?—That he might bring an action against him.

1432. Did the party bring an action?—No; he was a very poor man.

1433. Might not that have been done by a process in the civil-bill court?—I think not, from hearing the opinion of Mr. Major, whom I conceive to be a very high authority. I brought an action against the seneschal of Killesandra by civil-bill, and Mr. Major said he could not entertain it.

1434. What was the amount in the action you brought against him?—£.4. 12*s.* 3*d.*

1435. Mr. *Villiers Stuart.*] Then there is no cheap remedy for a party against whom too high costs are illegally levied?—It appears not.

1436. *Chairman.*] Was that court you speak of near Cootehill held at the same place as the petty sessions?—No, it is not; it is held, I believe, about three or four miles from Cootehill.

1437. But the seneschal resides as near to the petty sessions as to the place where the manor court is held?—No, the manor court is held, I understand, at a public-house near his gate.

1438. Have you been in the habit of attending at Cootehill petty sessions frequently?—Very frequently.

1439. And you state you never have seen him attending the petty sessions court?—Not to my recollection but once.

1440. Are there any other manor courts in the county of Cavan, that you are acquainted with, that have fallen into disuse?—There is another, the manor of Purnar and Doobally.

1441. Where is that situated?—In the Glangevelin and Doobally district, which lies below Ballyconnel.

1442. In a district the most remote from the sessions town?—Yes.

1443. Mr. *Villiers Stuart.*] Within how short a time has that court been held?—I think six or eight years ago.

1444. *Chairman.*] Have you any information why it fell into disuse?—The seneschal died; and the manor being at that time the property of a lady who lived in England, the agent refused to appoint a new seneschal.

1445. Mr. *Villiers Stuart.*] Does the present lord of the manor reside in Ireland?—No, in England.

1446. Do you know on what grounds the agent refused to continue the court?—I think the feeling he had was, that the debts that were mostly sued for and recovered in that court were for illicit whisky, and he considered it encouraged the illicit trade very much.

1447. Were any of those decrees ever appealed from?—No, it was too far; they would have had to go 45 miles to Cavan, and for those small sums it would not be worth while; I never heard of an appeal.

1448. Would not the decree have been set aside at once, if it appeared for a debt due for illicit whisky?—Certainly.

1449. *Chairman.*] Have you ever known those courts to be held in an unlicensed public-house?—I rather think this very court was held in an unlicensed house, for I believe there was not a licensed house in that district.

1450. Mr. *Villiers Stuart.*] Did you ever hear any complaints in this district of the poor people not being able to recover small debts?—Not the slightest; they all go to the quarter sessions; I heard great complaints of the way they were dragged up to Cavan, where the additional sessions were; but that is remedied now by Mr. Murphy, the assistant barrister.

1451. Did

1451. Did you ever hear of any complaints being forwarded to the Government of the seneschals in that part of the country?—I did not; I do not think it is likely they would be forwarded to the Government, as the seneschals are not Government officers; they are the local officers of the lord of the manor. I have heard of some persons applying to Mr. Southwell, with respect to the court of Killesandra, he being the lord of the manor.

1452. You have never heard of any of those gentlemen who have refused to appoint seneschals, being asked by the people of the country to appoint them?—I rather think they have not; I am sure they never have; the people complained very much, in all those districts, of that system of distraining their goods which was adopted there; and great hardship arose from it.

1453. Mr. *Jephson.*] What objection can the people of the country make to having near at hand a court at which they can recover the debts due to them, if those courts were properly conducted?—If they were properly conducted, there could be no objection; but they complain of the distringases issued by the seneschal, and their goods being taken off.

1454. They complain then of the attachment?—Yes; and I know with great reason in many instances.

1455. Have you ever heard complaints against the petty sessions?—I have heard people complain, as most men will who lose their case.

1456. Are not the same description of cases which are tried at the petty sessions, triable at quarter sessions?—There are a great number of wages cases, assaults, and trespass bills.

1457. In that district do you find that persons neglect the petty sessions, and wait for the quarter sessions to obtain their wages, or do they apply to the petty sessions?—I rather think they apply to the petty sessions.

1458. They apply to the petty sessions probably, because they are held more frequently, and are nearer at hand?—Yes.

1459. Supposing there were a class of debts which were not cognizable at the petty sessions, but were by the quarter sessions; if there were a court near at hand at which these debts could be recovered as easily as wages can at the petty sessions, is it not likely the people would have recourse to a court of that kind, as well as to the petty sessions, for wages?—Certainly; the convenience of the court, if properly held and conducted, ought, I should conceive, induce them to do so.

1460. Then the objections to the courts you refer to, apply more to the practice of them, than the principle of having local courts frequently held?—Yes, certainly.

1461. Mr. *Redington.*] Do you think it would be productive of inconvenience in the country, the not having a court more frequently held for the purpose of recovering debts, than a quarterly court?—I think a quarterly court quite sufficient; we have the sessions now six times a year in Cavan division.

1462. Mr. *Jephson.*] That is not likely to be the feeling of persons who have debts due to them?—Persons generally give credit for at least three months, perhaps longer, and then they have the opportunity, every three months, to recover the debt if it is not paid.

1463. Mr. *Redington.*] Is it your opinion the majority of the cases tried in the seneschal's court now are debts of longer standing than three months?—Yes, I think they are, certainly; and the debts at quarter sessions too.

1464. In that district which is now deprived of the seneschal's court, do you think there is any difficulty among the farmers and the poor people in obtaining the necessary credit?—Not the slightest; I see as great a number of processes, civil bills, brought to us as usual; there is just the same facility, I think, in obtaining credit.

1465. *Chairman.*] Are there any other matters connected with the manor courts of the county of Cavan, which you wish to mention to the Committee?—The only matter I would mention is with regard to those attachments; I think they are productive of very great hardship where the party is not residing within the manor at all.

1466. Is it always found that the cause of action arises within the manor where the attachment is issued?—Sometimes it is, and sometimes not.

1467. Is there ever an affidavit required previous to issuing the attachment?—I understand from the seneschal of Killesandra, that he now requires an affidavit, but I have known instances where he did not.

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1468. How long ago?—I should think up to 1833 he never did; I think, since I brought the process against him, before Mr. Major, he has required an affidavit; at that time he was only deputy seneschal.

1469. Then, in the court of Gwilliambrook, is there an affidavit required?—Latterly there was, in consequence of advice I gave Mr. John Benison, the late seneschal.

1470. You consider that at common law an affidavit would be required previous to issuing an attachment?—I do not think the law requires it; but I conceived a great many of them were issued for the purpose of annoyance, and to endeavour to check that, I advised the seneschal to require an affidavit.

1471. Did you advise him to include with that affidavit, that the cause arose within the manor?—I did not.

1472. Did you not think it of importance that such a restriction should be placed upon attachments being issuable by the manor courts, or corporate courts in corporate towns, or any other such courts?—Certainly.

1473. And with that restriction, it would be rather beneficial than otherwise to allow the power of proceeding against defendants who might not reside within the manor?—My own strong opinion is, that it is a hardship upon a party not residing within the manor to be subject to its jurisdiction; by it you have a benefit given to one part of the county, and another part has no such benefit.

1474. That arises from the exclusiveness of the jurisdiction?—Certainly.

1475. But supposing the whole country to be parcelled out uniformly into manor courts, how could you allow a shopkeeper, for instance, in manor A., a remedy against a farmer in manor B., for a transaction in the town in which the plaintiff resides; how would you allow that at all, if you did not allow the process to go from one manor into another; that is, if you restrict the jurisdiction of the courts to transactions between persons residing in the same manor?—The plaintiff could go into the adjoining manor where the defendant lived and get a process against him, in the same way as in the assistant-barrister's court.

1476. Then if the transaction between them had taken place in the town where the plaintiff resides, would it not, in the first place, be contrary to the principles of law; and in the second place, would it not be a hardship upon the plaintiff?—No more than to bring a civil-bill process in a county in which he did not live.

1477. But where a party contracted a debt for his own convenience, perhaps in the market town that he is in the habit of attending?—Then on principle, I think, if a man contracts a debt in a manor, he should be amenable there.

1478. Mr. *Villiers Stuart.*] Do you not consider these restrictions into different manor courts very inconvenient to the debtors and creditors?—Indeed I do.

1479. And that it is a strong argument against manor courts being allowed to exist at all?—I think the courts of quarter sessions are quite sufficient for the recovery of small debts, now that the extension of them has taken place under the late Act; there are a great many towns in which they are held now where they were not held before.

1480. *Chairman.*] Are there a great many districts in Cavan over which no manorial jurisdiction extends?—Indeed there are.

1481. Over which there are no traces of any such jurisdiction having ever been exercised?—I never heard of any in Cavan or in Belturbet, but there are in other districts. I know a very extensive property, in which I do business myself, belonging to the Primate, near Ballyconnel, and there never was a court held there. It is in the manor of Beresford; but there never was a court held in it.

1482. Have you ever known the value of property affected in the least by the existence or non-existence of these manorial rights?—Not in the least. I know that a property near Killesandra, over which the manor does not extend, was sold sometime ago, and I am sure it went for as much, without any manorial rights, as any part of Mr. Southwell's property would go for, if he sold the manorial rights.

1483. You mentioned just now the manor of Purnar, in which there were no appeals, in consequence of the great distance from the assize town?—Yes.

1484. Do you not think that is a great hardship, the appeal being given to the assizes, from the great distance a party has to go?—I do; I think it is a great hardship

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hardship upon the plaintiff, if the debt is due; and upon the defendant, if he does not owe the debt.

1485. Are not appeals often made for the purpose of vexation?—I should rather think they are; indeed, I am pretty positive they are. There are a great many more lodged than ever came to the assizes.

1486. Is there not also a great inconvenience from the length of time that may elapse before an appeal is heard?—Yes.

1487. If the system of manor courts, or by whatever name they might be called, were continued, would it not be a great convenience if the appeal were given to the quarter sessions?—Decidedly so; at present, if the court is held in the latter end of July, the party, if he wish to keep the plaintiff out of his debt, by paying 1 *s.* may keep him out of it till the month of March, whereas it would be heard at the quarter sessions in the month of October for a trifling sum; and he would have to go but a small distance, while he may have to go 30 or 40 miles in the other case. The seneschal is bound on his paying the shilling to take the appeal, even when no doubt appears; and if he lives a distance off, it is a very great hardship on a man to have to go to the assizes for a debt of a few shillings.

1488. Mr. *Villiers Stuart.*] Is not the jurisdiction of the seneschal's court higher in some cases than the barrister's court?—Yes; in the manor of Manorhamilton, in the county of Leitrim, it extends to 1,000 *l.*

1489. Might not that be an objection to giving an appeal from the seneschal's court to the assistant barrister, as you would then be appealing to a court which had a smaller jurisdiction?—I should think not.

1490. *Chairman.*] Are you sure that the manor court of Manorhamilton is still in existence?—I am not positive that it is in existence now, or that it has been for the last few years; but I know it was in existence ten years ago, for a client of mine was arrested in it.

Lunæ, 7° die Maii, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Mr. Redington.
Mr. Lucas.	Mr. Villiers Stuart.
Mr. M. J. O'Connell.	

M. J. O'CONNELL, Esq., IN THE CHAIR.

Mr. *Henry Bagge*, called in; and Examined,

Mr. *Henry Bagge.*

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1491. *Chairman.*] WHERE do you reside?—Dungarvon.

1492. Do you follow any profession?—Yes; I am a solicitor.

1493. Is there a manor court held in the town of Dungarvon?—There is.

1494. Have you an intimate knowledge of the proceedings of that court?—Yes.

1495. Have you ever practised in it yourself?—Some years ago I have, in some cases.

1496. How many years ago?—About 15 years.

1497. Were you admitted an attorney or solicitor at that time?—Yes; I have been upwards of 20 years admitted.

1498. You were a junior practitioner at that time?—Yes.

1499. Are attornies and solicitors in respectable business in the habit of practising in those courts?—No; I have not myself done anything there these 15 years.

1500. How often does the court sit?—Every three weeks.

1501. Where is it held?—At the court-house.

1502. The same court-house where the quarter sessions are held?—Yes.

1503. Are juries impannelled in all cases?—They are.

1504. Are

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1504. Are you aware whether they are regularly summoned to attend the court?—I believe not; I believe they are very often merely requested to attend by the seneschal or his bailiff.

1505. Mr. *Lucas.*] Have you any knowledge of the practice of the court of late years?—Only from hearsay, how the court is constituted, and the nature of the decisions in it, and have heard complaints made of the jurors.

1506. Can you take upon you to say, conscientiously, that what you are now detailing is the case?—I think I can; I did not come to London for the purpose of being examined upon this subject; if I had been aware of it, I might have brought documents with me which I should have been able to refer to.

1507. Mr. *Villiers Stuart.*] When you speak of complaints against the court, you do not speak of complaints against the seneschal?—Certainly not.

1508. The seneschal is a very respectable person, I believe?—Very much so indeed.

1509. *Chairman.*] Is the seneschal a legal person?—No.

1510. How long has he filled the office?—I suppose over 20 years; I cannot tell exactly how long.

1511. But your recollection is sufficient to enable you to state that he was in office 20 years ago?—Yes, I think he has been in office upwards of 20 years.

1512. As the complaints you have mentioned as prevailing among the public of Dungarvon and its neighbourhood do not refer to the seneschal, to what part of the court do they refer?—The issuing of attachments particularly.

1513. Do they refer at all to the jurors?—Yes; the jurors are not a respectable class, as I have heard, and believe.

1514. Do you know, in point of fact, from living in the town, anything of the persons who are in the habit of serving upon the juries?—I do.

1515. Of what class of life are they?—Generally low shopkeepers, publicans, and tradespeople.

1516. Any fishermen?—No, I believe not; generally speaking, not of so low a class.

1517. Are they the same class of people who serve upon juries at quarter sessions?—No, not so respectable.

1518. Not so respectable even as the quarter sessions?—No.

1519. The quarter sessions for the county are held at Dungarvon, are they not?—Yes, for one division of the county.

1520. The largest division of the county?—Yes; there are three divisions; Dungarvon is the largest division in the county.

1521. Of whom are the juries in the quarter sessions composed; are they shopkeepers in the town of Dungarvon, or farmers in the country?—Of shopkeepers in the town of Dungarvon, and some respectable farmers and people in the middle rank of life in the country. They are respectable, and give satisfaction. I have heard the assistant barrister say the Dungarvon juries are very good, and much better than any other part of the county.

1522. There are some respectable farmers in the neighbourhood?—There are in that division of the county.

1523. Except stating that the jury are not so respectable a class as people think they ought to be, is there any other complaint upon the score of the jurors that you have heard?—No, I cannot exactly say there is.

1524. Are you aware whether the seneschal, if he were inclined to get a respectable jury, has the power to enforce their attendance?—I do not think he has; I do not think he could get the respectable people to attend.

1525. Mr. *Villiers Stuart.*] Have you ever known summonses issued for some of the respectable men to attend, and they refused to do so?—I have heard of summonses being served on Mr. Patrick Dower, and that he refused to attend, and the seneschal took some proceedings against him.

1526. *Chairman.*] You heard that the seneschal took proceedings against that gentleman for not attending?—I did.

1527. Do you know what the result of the proceedings were?—No; it is so long ago, I do not recollect.

1528. With

1528. With regard to attachments, what particular complaints have you heard upon that subject?—I have heard of vessels and boats, laden and ready to proceed to sea, being seized under those attachments, which is considered a great grievance.

1529. Do you know when an instance of that sort last took place?—I believe instances take place yearly; I know some instances took place very lately.

1530. Are goods of any other kind ever seized in a vexatious or improper manner?—I heard of an instance which occurred lately, of Mr. Barron being summoned before magistrates for wages, and they unanimously dismissed the complaint, and the person who had the alleged demand against Mr. Barron went and issued a manor court action, and had his cow seized; I heard that complained of by the magistrates and other persons there. If any person makes an affidavit before the seneschal, the seneschal issues an attachment against the goods.

1531. Mr. *Villiers Stuart.*] Was the cow seized within the manor?—Yes; they cannot seize out of the manor. Mr. Barron lives in the manor, at a place called Lackan.

1532. *Chairman.*] Was the cow bailed after being seized?—I cannot say.

1533. Did the case come to trial?—I do not know; I was a great part of the last year from home, in Dublin, and I do not attend to those matters; I rather think, from what I heard, that Mr. Barron paid the money sooner than go to the expense of litigating it.

1534. Mr. *Villiers Stuart.*] You do not know what the sum was?—It was some small sum I should suppose.

1535. *Chairman.*] Then you do not know whether that fact of the petty sessions having adjudicated upon the claim, and decided against the claimant, was ever brought judicially under the notice of the seneschal?—I believe not.

1536. Is not the seneschal obliged, upon the requests being complied with, to issue those attachments, upon any person applying for them?—Yes; upon a party swearing an affidavit, the seneschal issues an attachment directed to his manor bailiff.

1537. The seneschal always requires an affidavit?—Yes, he does, of the debt being due, and contracted within the manor.

1538. When goods seized under an attachment are bailed, is not the form of trial a much more costly one than the common one of civil bill?—Yes; the costs amount to between 3*l.* and 4*l.* This paper, which I have got from the chairman, contains the different items of the costs.

[*The Witness delivered in the Paper.*]

1539. Mr. *Lucas.*] From what source is the document taken?—From my recollection, that those are the costs charged.

1540. How many years ago did you practise there?—Fifteen years ago.

1541. This is your recollection of the cases at the time you practised in the court?—Yes; and I have since frequently seen the costs charged, and have no doubt as to their correctness.

1542. It is your recollection of the costs at the time you practised; you have no reason to believe that it has since been changed?—I have not.

1543. Mr. *Villiers Stuart.*] The complaints against the manor court of Dungarvon are chiefly against the exercise of the common law processes?—Against the issuing of attachments, I think, principally.

1544. It is left now to the option of the parties whether they will proceed by civil bill or by attachment?—It is.

1545. Is there any good reason for a party adopting the more expensive course?—I do not think there is, except in the instance of a farmer coming into town, living out of the manor; and if he contracted a debt within the jurisdiction, and they find he comes into town, they issue an attachment for the purpose of taking his goods. That frequently occurs, and exposes the farmers to considerable expense and annoyance.

1546. And the creditor would have had equally good means of obtaining the payment of his debt by recourse to the less expensive process by civil bill?—I think much better, because he would have the sheriff to execute the civil bill decree of the quarter sessions court.

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1547. I mean the civil bill process of the manor court?—I think so, if the debtor resided in the manor; but the civil bill decree, I believe, is out of date in three weeks; it only lasts until the following sitting of the court.

1548. Mr. *Redington.*] Are the courts held every three weeks?—Yes, and a decree only lasts till the next court day. Supposing I get a decree at the manor court to-day, it only remains in operation for three weeks, unless renewed at the next court day.

1549. *Chairman.*] Do you know why it must be renewed?—I do not know, except the seneschal is restricted by Act of Parliament; I cannot say whether it is legal or not, but I believe it is the practice.

1550. Is it so stated in the body of the decree?—I do not recollect.

1551. Is there a fee upon the renewal of a decree?—I do not know.

1552. If there is a fee of a shilling or sixpence upon the renewal of the decree, would that induce the seneschal to make it necessary to renew the decree as often as possible?—I do not think it would, and I am not aware that he is entitled to any fee on renewals.

1553. Mr. *Villiers Stuart.*] Are you aware whether in the manor of Dungarvon it is in fact necessary to renew the decree every court day?—I believe it is necessary to do so.

1554. *Chairman.*] It appears from a return of the seneschal of Dungarvon that the number of civil bill cases tried in every year has greatly exceeded that of attachment cases tried; does that fact show that there was a smaller number of attachments issued?—I cannot inform the Committee.

1555. Is every attachment that is issued brought to trial?—I should suppose not; a great number are settled before coming to trial, and I am sure a great number of civil bills also are issued which never come to trial.

1556. Mr. *Villiers Stuart.*] Is the number of attachments tried a fair criterion of the number of attachments issued?—I should think not; there are more attachments issued than are tried; many persons settle who do not wish to incur the expense of a trial.

1557. *Chairman.*] Then these attachments do some good?—I believe they may be of some good in a few instances.

1558. In any of the cases where vessels have been seized, was the debt not due from the owner of the vessel?—I cannot say.

1559. Have you ever heard of a flagrantly unjust case of that sort?—I have heard that two or more persons were the joint owners of a vessel, and that the debt for which the vessel was seized was the debt of only one, part owner, which I consider to be a great hardship on the others, and also on the merchant who loaded the vessel, to have her seized, and prevented from proceeding to sea, or the cargo to be landed, and the part owners injured by losing the freight.

1560. Would not they have a remedy at law against the part owner for whose entire debt the vessel was seized?—They might have an action, but probably the part owner would not be in a sufficient state to pay the costs. I know that is considered a very great hardship, both to the merchant and the other part owners, that a vessel and cargo should be seized, and perhaps the person against whom the attachment issued might have but a very small share in the vessel. It is particularly in those cases I have always considered the issuing an attachment a very great hardship.

1561. Mr. *Redington.*] Do the shopkeepers and people of that class in Dungarvon usually proceed for their debts of small amount in the manor court in preference to the assistant barrister's court?—They prefer the assistant barrister's court, decidedly.

1562. Even for debts for which they might proceed in the manor court?—Yes, I think they do.

1563. Mr. *Villiers Stuart.*] Are you at all aware how far the jurisdiction of the seneschal extends in the harbour of Dungarvon; could he seize a vessel lying outside the harbour?—I believe not; I never knew an instance of it; vessels and boats are seized alongside the quay, but outside the harbour I never heard an instance of it; I do not believe a vessel could be seized outside the harbour.

1564. Mr. *Lucas.*] What class of persons sue in the manor court, if the class you describe prefer the assistant barrister's court?—In general, farmers, tradespeople, and shopkeepers; and I should say the people prefer the assistant-barrister's court.

1565. Then how does it arise that any cases at all are tried in the manor court?—I cannot state exactly, except that persons may not wish to wait till the next quarter sessions, or might suppose they would recover their debt quicker. I have known cases dismissed without prejudice in the barrister's court, and afterwards tried in the seneschal's court.

1566. Have you ever known any corrupt motive or reason influence persons in preferring the seneschal's court?—I have not.

1567. Mr. *Villiers Stuart.*] The seneschal of Dungarvon is too fair a person to admit any hope of an unjust cause succeeding?—I think so; I think he is a very fair, intelligent, and impartial man.

1568. Mr. *Redington.*] Do you conceive the disposition to proceed in the barrister's court, in preference to the seneschal's court, arises from the belief that the barrister's tribunal is a fair and more intelligent one?—Yes; and the decrees from the barrister's court need not be renewed for a year; and the jurisdiction of the manor court is over but a small portion compared with the assistant barrister's.

1569. Mr. *Lucas.*] Are the costs greater in the barrister's court than in the seneschal's court, for a sum of the same amount?—In the seneschal's court they are more expensive.

1570. Whether the proceeding is by civil bill or by attachment?—Yes.

1571. Then probably the less costs may be the reason for more cases being tried in the barrister's court?—The district over which the barrister presides is larger, and therefore much more cases must, of necessity, be tried by him, even if the cost in his court was greater than the manor court. The jurisdiction of the manor court is limited to the town, and a small portion of the country.

1572. *Chairman.*] What are the costs in the seneschal's court in a civil bill process?—I cannot say exactly.

1573. You say they are more than in the barrister's court?—Yes, the barrister has only 1 *s.* for his own costs, and I believe the seneschal has much more.

1574. What are the costs in the barrister's court?—I think about 5 *s.* 6 *d.* for a decree.

1575. That includes the attorney's fee and all?—Yes, and the clerk of the peace, and the barrister.

1576. Do you know what the legal costs in the seneschal's court are?—I believe they are from 7 *s.* to 9 *s.*; if I had the Act of Parliament I could make it out.

1577. Then your answer, that the costs upon a civil bill process in the manor court are higher than the costs upon a civil bill process in the assistant barrister's court, is founded upon the supposition that in the former they amount to 9 *s.*?—I believe that is so; if I had the Act to refer to I could make up the exact sum.

1578. But the reason you say they are higher than in the barrister's court is because you suppose they amount to 9 *s.*?—My belief is they are more in the seneschal's court.

1579. Is the reason why you believe they are more because you also believe they amount to 8 *s.* or 9 *s.* or 10 *s.*?—Yes, I believe they amount to 7 *s.*, 8 *s.* or 9 *s.*

1580. And if you found they could not legally amount to more than 5 *s.* 6 *d.* what would you say?—I would say that I believe the seneschal does not charge more than the legal costs.

1581. Then if you found that to be a fact from looking at the Act of Parliament, should you say they were higher or lower than in the assistant barrister's court?—My impression is that they are higher than in the assistant barrister's court.

1582. Even if you found the Act did not allow them to exceed 5 *s.* 6 *d.*?—I believe you will find the seneschal charge 1 *s.* for signing the process, 6 *d.* or

Mr. *Henry Bagge.* 1 *s.* for serving, a fee for entering the process or signing a decree, also a fee for the attorney.

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1583. Mr. *Lucas.*] Are you stating your general impression, without pinning yourself to exact accuracy?—Yes; I cannot state accurately unless I see the Act of Parliament.

1584. Then your impression is that the costs in the seneschal's court are 8 *s.* or 9 *s.*?—Yes.

1585. And that the costs in the barrister's court would not amount to that sum?—Yes.

1586. When you say the costs in the barrister's court amount to *5 s.* 6 *d.*, do you mean the attorney is satisfied with the fee that is included in that *5 s.* 6 *d.*?—I do.

1587. And he actually conducts the case for that sum?—Yes, and pays the barrister and clerk of the peace.

1588. *Chairman.*] The attorney's fee is taxed against the unsuccessful party in the barrister's court?—Yes, it is.

1589. Whatever is paid to the agent in the manor court, are you aware whether they can be taxed against the unsuccessful party?—There is an attorney's fee allowed in the manor court against the unsuccessful party.

1590. Is that taxed against the unsuccessful party?—I think it is; but if you refer to the Act of Parliament, I think there is a schedule giving the fees, and I could then ascertain what the seneschal charges.

1591. Mr. *Villiers Stuart.*] Is it your impression that in the manor court of Dungarvon there is an attorney's fee charged upon the civil bill process?—Decidedly so.

1592. I understood you to say, in the early part of your examination, that attornies did not practise in that court?—I stated that respectable attornies in good practice do not practise there.

1593. Then some attornies do?—Yes, young attornies.

1594. *Chairman.*] Do any persons not sworn attornies practise in that court?—No; they did formerly, but not now.

1595. Does the seneschal prevent it?—He does.

1596. Mr. *Redington.*] With regard to the sum charged for serving a process, have you ever known an instance in which that was charged?—It is charged by the manor bailiff, who is appointed by the seneschal.

1597. Have you ever known an instance where that was charged against the party?—It is paid by the plaintiff, and, I believe, charged against the defendant.

1598. And that sum is not included in the return made by the seneschal?—I should suppose not. The seneschal, I know, charges 1 *s.* for signing the process, and some other fees on entering the process or signing the decree, besides the attorney's fee.

1599. Mr. *Villiers Stuart.*] Does making use of the attachment process, or the civil bill process, depend upon the attorney to whom the party applies?—I think not; it depends upon the party, who generally goes to the seneschal, and not the attorney; and after the attachment issues, and if no arrangement takes place, they employ an attorney.

1600. Mr. *Redington.*] Are you of opinion that, generally speaking, the debts that are proceeded for in the manor court are of more than three months' standing?—I can form no opinion upon that; I should think a great portion of the debts are of a longer standing.

1601. *Chairman.*] Do you think once in three months is sufficiently often for a court to be held for the recovery of small debts in country towns?—I do.

1602. Is the district of Dungarvon in the new division of quarter sessions a very large one?—It is the largest division of the county.

1603. Are many parts inconveniently far from Dungarvon?—No; I think there has been no complaint since the last division.

1604. Does it extend to the northern part of the county; to the borders of Tipperary?—It does; the barony of Glandera joins Tipperary; it is a very small barony, and only contains one parish.

1605. That is at some distance from Dungarvon, that part of the country?—I suppose it is 18 or 19 miles.

1606. Now

1606. Now, do you find the people of that district complain of the distance they have to go?—No; that barony was formerly attached to the division of Waterford, and they complained then; and it was upon a memorial from the grand jury that the Lord Lieutenant changed it to the division of Dungarvon, and since the change there has been no complaint.

1607. How far is that part of the country from the town of Waterford?—I cannot exactly say; I should suppose it is nearly double the distance from Waterford that it is from Dungarvon.

1608. I believe until of late years there were no good roads in that part of the country?—Only of late years.

1609. Mr. *Villiers Stuart.*] Did you ever hear any complaints against the system of the civil bill process in the manor of Dungarvon?—No.

1610. But the chief grievance arises from the expensive process of attachment?—Not altogether the expense, but the hardship of seizing vessels, or the goods of farmers coming into market with their produce; I have heard shopkeepers complain that it kept some of the farmers out of the market; if they owed any little debt contracted in the town, they may go to another market to avoid their goods being seized.

1611. And damage done to their goods perhaps?—I never heard that their goods were damaged.

1612. And the loss arising from detaining them?—Yes; I have heard of butter, fish, and other perishable articles being seized under attachment.

1613. Mr. *Villiers Stuart.*] According to the present constitution of this court, it is in the power of the seneschal, even in a case of a debt of a few shillings, to make use of the expensive process of attachment?—I believe an attachment does not issue unless the debt is over 40 *s.* Irish.

1614. But for so small a sum as 40 *s.* it is in his power to issue an attachment?—Yes.

1615. Mr. *Lucas.*] Have you any suggestions to make with a view to the improvement of these courts?—I think it would be better to have them abolished altogether; I cannot think there is any necessity for them at all.

1616. You think they are not capable of improvement?—I think it would be better to have them abolished.

1617. Mr. *Villiers Stuart.*] You do not state that from what you have seen of the court of Dungarvon, as I understood you to say that is conducted in a most respectable manner?—So far as the seneschal is concerned; it is conducted by him in the best manner. I would suggest that, if those courts were to be continued, practising barristers of six years' standing ought to be appointed seneschals, and more power given to them; I think that would be an improvement.

1618. Mr. *Lucas.*] From your knowledge of the courts in your neighbourhood that you have had business with, you think they are not sufficiently capable of improvement to make it worth while keeping them?—I think not, and I believe the general opinion is, that it would be better they should be altogether abolished, but if it is worth while to improve them at all, I think, as I stated before, legal persons ought to preside.

1619. Have you ever happened to know any one of them that has worked well?—No, I have not; I have heard them generally complained of.

1620. You have never known any one of these courts that has been an useful and beneficial court to the neighbourhood?—No; I rather think they are generally complained of; people have no confidence, from the way in which justice is administered to them by the jurors and some seneschals.

1621. Is your own opinion in favour of having courts for small debts numerous, if they are well conducted?—I think there is no complaint of the way the magistrates at petty sessions administer the law as to wages, and my opinion is that in cases of from 5 *s.* to 1 *l.* they would be able to decide and do justice between the parties without going to quarter sessions, where they might sometimes wait a week for a 5 *s.* transaction; and I think the magistrates are so much respected, that they would settle trifling debts or disputes as well as the assistant barrister at quarter sessions.

1622. Then you would rather suggest that the magistrates should have a jurisdiction over a different class of debts than that which is entrusted to them at present?—Yes; my reason is, I do not find any complaints of the manner in

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which the magistrates exercise their jurisdiction as to wages cases; I believe they decide those cases up to 5 *l.* and under 6 *l.*, and there are very few appeals, compared with the number of cases disposed of; and therefore I think they could decide other small debt cases also.

1623. Since their decisions with regard to wages cases under 6 *l.* at present gives satisfaction, in your opinion, do you think it would be desirable to intrust them with cases of actions for a small amount?—Yes, in the same manner as they decide wages cases. It is a great hardship for parties to be obliged to go to the quarter sessions for 2 *s.* or 3 *s.*; I have known persons with their witnesses waiting at the quarter sessions for a week; and the expense of the petty sessions is very little, only 6 *d.* for a summons, and 6 *d.* for serving it, and the magistrates patiently hear every case brought before them, and decide impartially.

1624. The petty sessions, you think, are held so much more conveniently for the people in point of distance, that expense is saved by them in that way?—Yes.

1625. Then cases approaching to 40 *s.*, you probably would wish those to be tried altogether by the assistant barrister?—Yes.

1626. Would you suggest a jury or not?—Not before the assistant barrister; I think there is no occasion for it; I think he decides very fairly.

1627. Before the magistrates at petty sessions, if they had jurisdiction in actions or debts to a small amount, would you suggest a jury or not?—No; I think they would decide fairly without a jury. It might be difficult to get respectable juries to attend the petty sessions court.

1628. You do not think the circumstance of the magistrates sitting one day being different from the magistrates sitting another day would affect the general efficiency of petty sessions courts?—I think not.

1629. So that, in fact, you are generally favourable to the extension of courts for small debts through the country for the benefit of the people, provided only they were well and impartially administered?—Yes, extending the jurisdiction to the magistrates at petty sessions; I think they would be much better than the seneschals.

1630. Your opinion is favourable to giving every convenience to the poor for trying small actions of debt, provided, by giving that convenience, you do not injure the impartiality of the decision?—Yes.

1631. Have you any other suggestion to make with regard to these courts?—No, I have not, that I recollect.

1632. *Chairman.*] Would you suggest the same form of proceeding, and the same form of summons before the magistrates, in case you give them a small debt jurisdiction, as they now have in wages cases?—Exactly; it is against the goods that a warrant is issued for wages, and could be also issued for any other debt; I would give a right of appeal to the quarter sessions, as in wages cases.

1633. Mr. *Villiers Stuart.*] Do you not think it would add greatly to the business of the magistrates at petty sessions?—I think it would give them a great deal more business than they have at present.

1634. Have you been in the habit of attending the petty sessions in the county of Waterford?—Frequently.

1635. Are not the magistrates now usually kept the whole day by the business that now comes before them?—Yes, they are kept sometimes now the entire day.

1636. Then if you were to give them an additional small debt business, they would hardly be able to get through it?—There could be more magistrates appointed, and more petty sessions courts.

Martis, 29° die Maii, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Captain Meynell.
Mr. Jephson.	Mr. M. J. O'Connell.
Mr. Litton.	Mr. Redington.
Mr. Lucas.	

M. J. O'CONNELL, Esq., IN THE CHAIR.

Mr. *Samuel D. Crawford*, called in; and Examined.

Mr. *S. D. Crawford*.

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1637. *Chairman.*] WHAT is your profession?—I am a flour miller.

1638. In what town do you reside?—In the town of Castledawson, in the county of Derry.

1639. You are seneschal of the manor of Castledawson?—I am.

1640. In what county is that situate?—Londonderry.

1641. Who is the lord of the manor?—Mr. George Robert Dawson.

1642. What is the extent of the jurisdiction?—20 *l.* sterling.

1643. It appears from the return that the charter was granted by Queen Anne?—Yes; it was in the year 1713.

1644. In the return you do not state it with accuracy; you merely state the charter is lodged in Dublin, in some of the courts?—Yes, it is; I had an attested copy of it at one time; but I went to the assizes on one occasion, and it was mislaid.

1645. How long ago is that?—I suppose about three years since.

1646. Was it for the purpose of an appeal being tried that you took it to the assizes?—No; it was a record that was tried at the assizes, which commenced at our court.

1647. Have you ever had to produce a copy of your charter on the trial of an appeal?—I never had.

1648. Is the manor an extensive one?—I think it is six miles long one way, and about five broad. The town or village of Castledawson is in the manor.

1649. Is it a populous place?—It is rather so.

1650. How many inhabitants should you say?—800.

1651. Is it a post town?—It is a post town, and a market and fair town.

1652. Are the people much employed in manufactures, either in the town or in the country about it?—They are; they are employed in the cotton and linen trade.

1653. Where do you hold your court?—In Castledawson town.

1654. Is there a regular court-house?—There is not, but there is a large room in the inn I hold it in.

1655. How often does your court sit?—Once a month.

1656. Of what class are the jurors composed?—Freeholders of the manor; respectable freeholders.

1657. Are they regularly summoned to attend your court?—Sometimes they are, and sometimes not; I generally get people to attend me on the court-day.

1658. Without regularly issuing a summons?—Yes; when I find people are busy at harvest, or at fairs, or markets, I apply to others to whom it is more convenient.

1659. Do you always take care they shall be residents within the manor?—Yes.

1660. When you do summon the juries, by whom is the summons served?—My bailiff; but (if you will allow me to make a remark here) I cannot tell whether the seneschal has the power of enforcing the attendance of jurymen.

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I do not know how that is; I never saw any Act of Parliament to that effect; and I think if an Act were passed, there should be an alteration in the law as to that, that after an inhabitant of the manor gets a certain number of days' notice, if he will not attend, he should be fined 1*l.* or so. I think that would be right, as it would make them attend.

1661. Is there in the leases of the tenants of the manor any clause obliging them to attend to perform suit and service in the manor court?—Some leases are so, but others are not; those things are not much attended to now, I believe.

1662. Are there any leases directly from the lord of the manor himself in which a clause of that sort is not inserted?—I have not seen any of those leases; I have seen leases in which such a clause was inserted. I do not think that Mr. Dawson has such a clause inserted in any lease now granted. I think if a law could be passed, that jurymen should be bound to attend, after receiving a certain number of days' notice, or be fined, it would be very proper.

1663. Is the whole manor the estate of the lord of the manor?—It is.

1664. Do the tenants in general hold directly under him, or are there middle-men?—There are some middle-men.

1665. Are any of those middle-men holding under leases for ever under Mr. Dawson?—All are; the estate is mostly let in perpetuity; that is, on lives renewable for ever.

1666. Most of the estate is let in perpetuity?—It is almost all.

1667. Then he has not much direct control over the tenants?—No, he has not, except in some townlands where the lives are renewable; only the lord of the manor has always some things, the bogs, &c. in his power, and other matters.

1668. But he has not the improvement of the estate in his power so much as the tenants under him?—He has.

1669. How long have you been seneschal of the manor of Castledawson?—Since the year 1814, that is 24 years ago.

1670. What is the average number of cases tried in your court each day?—Some days 20 and under; sometimes 10, a dozen; it fluctuates.

1671. How long does your court sit each day?—I suppose five or six hours sometimes, and sometimes three or four, or two, according to the business we have to do.

1672. Upon an average four hours?—Yes.

1673. What time in the day do you meet?—Eleven o'clock.

1674. Are the jurors who attend in your court generally intelligent men, and men capable of deciding upon the questions which come before them?—Yes, they are.

1675. Are they such persons as are placed upon juries in the quarter sessions courts?—Yes, much the same.

1676. Are you in the neighbourhood of a quarter sessions town?—I am within two miles of it, Magherafelt.

1677. Magherafelt is not in your manor?—It is not.

1678. Is the town of Castledawson central; is it well placed for holding the court?—It is about the centre.

1679. Then your manor must be rather an irregularly shaped one?—It is; the manor of Magherafelt on one side comes into the town nearly, within a short distance of it; and in other places the manor of Castledawson is six miles from it.

1680. It is six miles long?—I think it is about that.

1681. And five miles broad?—Yes.

1682. Then as another manor comes within half a mile of the town, how can you say that Castledawson is a central place?—It is a central place, although the manor of Magherafelt comes near it.

1683. You mean central as far as the convenience of the people is concerned?—Yes.

1684. It is the town they frequent for the purpose of marketing?—Yes.

1685. Is there any other manor in the neighbourhood besides Magherafelt?—Yes, the manor of Salters, which carries a very small jurisdiction, only 1*l.* 16*s.* 4*d.* sterling.

1686. Your

1686. Your jurisdiction, you said, goes to 20*l.*?—Yes.

1687. You stated that sometimes you summoned jurors and sometimes not, do they generally like to attend as jurors in your court?—Yes, some do.

1688. Some have a fancy for it?—Yes.

1689. Have you ever had occasion to remove persons from the jury on account of their being challenged by either party?—Yes, sometimes; I remove them if there is a proper cause.

1690. What do you consider a proper cause?—If they make remarks upon the cause they are going to try, or if they are relations of either party; in that case I would not swear them on any account.

1691. Do you generally try all the cases on each day with one jury?—Yes.

1692. Now suppose, after trying two or three causes, you should find a case coming on in which the plaintiff or defendant was related to one of the jurors, do you put that juror by, and put another in his place?—I could not put him off after I swore him, but I inquire mostly beforehand.

1693. You inquire into those things beforehand?—Yes, I generally do; I know so much of the country, and the relationship of the people, that I consider those things beforehand.

1694. You consider it beforehand, and if there is anything of that sort, you do not put them upon the jury?—Yes.

1695. Do they sometimes object themselves upon that ground; do they say, "I do not wish to serve, I am related to one of the parties"?—I have seen it done; they act from conscientious motives I have no doubt.

1696. Have you good accommodation in this room where you hold your court?—Very good.

1697. Do you keep the jury separate from the body of the by-standers?—Yes.

1698. How, is there a table, or a railing round it?—We have a table; I intend making a railing.

1699. For the purpose of separating the jury?—Yes.

1700. Suppose there should come a case before them upon which they had any difficulty in making up their minds, do they retire to consider of their verdict?—When the business of the day is over the court is cleared, and the jury deliberate, and they sign the book, and give it to me. They are by themselves then.

1701. The room is cleared, and the jury remain it?—Yes.

1702. Do you remain with them?—Sometimes I do, and sometimes I do not. In difficult cases they call me in to explain my opinion to them.

1703. To explain your opinion of the law?—Yes.

1704. But when you have explained that, do you remain with them, or do you go out?—I go out. If it is a simple thing, for cash, or goods sold and delivered, I sometimes tell them what my opinion is, and they find it at once; but if there is anything difficult, I go out.

1705. When there happens to be any difficult case, do you exclude the public from the court at all?—I do.

1706. Upon all occasions?—Yes.

1707. Then is it the practice of the jury not to deliberate upon their verdict until all the cases are finished?—Yes, when all is finished, they deliberate upon the whole; they take No. 1, No. 2, No. 3, and so on.

1708. Then if there are 20 cases, they do not deliberate until all are over?—Yes.

1709. Are they able to remember the facts of each case?—Yes; the foreman of the jury takes notes.

1710. Do you take notes, and read them over to them?—Yes.

1711. Then suppose you forget them?—I cannot forget them.

1712. Are you desirous then of always obtaining a foreman of superior intelligence?—Yes, it is desirable in all cases.

1713. Do the verdicts of the jury in general give satisfaction in your manor?—I think they do; jurors in courts with local jurisdiction like ours must be supposed to know more of the country than a barrister would. Each case is tried by 12 men, whereas the barrister is only an individual; and I certainly do think the people are pleased with it.

1714-5. Have you ever found a difficulty in getting 12 men to attend?—I have in harvest time, or fair, or market time.

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1716. Have you ever considered what would be the effect if the number were reduced to one-half; if six were sufficient for a jury?—I like to have 12.

1717. You think there is more confidence in the opinion of 12?—Yes, our law says so; I know the barrister sometimes calls to his assistance three individuals, supposing there is a disputed point in a case; I have seen that done at the sessions.

1718. Have you not found where the barrister does that it gives satisfaction?—Yes, much more so.

1719. With regard to those practices which vary in every county, and sometimes in different parts of the same county, with reference to engagements given as to cattle, questions of wages, and other points which the barrister could not know so much of as persons of local experience, do you not find in those cases that the barrister calling in the assistance of three jurors, does give satisfaction?—I think it does.

1720. Is it not the practice of the barrister always to call in such persons in all cases of that kind?—No, not in all cases; sometimes they require it, and sometimes not.

1721. But where the barrister himself has a doubt with regard to the usual practice in that part of the country, does he not then call in the assistance of three persons?—I have heard it said so, in any difficult case.

1722. Are you in the habit of attending the quarter sessions?—Not generally, I am not.

1723. What kind of cases are those generally that come into your court?—For cash, goods sold and delivered, and upon bonds or promissory notes; there are different causes of action.

1724–5. In all these cases your jurisdiction extends to 20 *l.*?—Yes.

1726. Are the generality of cases tried in your court cases of attachment, or common civil bill cases?—Both.

1727. Does your attachment issue against the person as well as the goods?—Our charter says to both body and goods; it is a very extensive charter; in fact, it is a court of record; sometimes we go by record, and sometimes by civil bill. I will explain that if you will allow me: we had the power, though not in my day, of arresting the body, but an Act of Parliament was brought in ten years ago (the Prison Act) which says if the power of imprisonment has not been acted upon for seven years, the power is lost; unfortunately for us it had not been acted upon for a number of years previously, and we lost the power. Now, if that power could be brought back, it would be of much use to the manor courts.

1728. Do you not find the attachment against the goods is sufficient to enforce your decree?—I do not think it is, because a debtor may evade the law by putting away his goods, whereas he cannot put away his body so readily.

1729. Had you a prison in your manor?—No, there never was; but a gentleman who had the court before me, thirty years ago, had the power of imprisoning them anywhere within the manor he chose.

1730. Any where in the manor?—Yes, making a public-house the prison; a man was kept there. Mr. Stewart, the seneschal of Belfast, has not lost the power, because he has always issued attachments against the body. He committed to the gaol of Carrickfergus; if I had the power, I should commit to the gaol of Londonderry; that was lost to me when the law was altered ten years ago. His power was not lost.

1731. All the jurisdiction of peculiar prisons was taken away by the Act?—Yes; Mr. Stewart had a marshalsea in Belfast; that is now abolished, and he was obliged to commit to the county gaol of Carrickfergus.

1732. Is the city of Londonderry far from you?—30 miles.

1733. Then if you had the power of arresting a person upon your attachment process, would not that be a great check to the exercise of it, having to send a person so far?—I do not think it would; it would be much better to have the debtor there than in the manor of Castledawson.

1734. Do you produce a form of attachment?—Yes.

[*The Witness delivered in the same.*]

1735. Is there any difference in the form of your entry, when the case comes before you as an attachment, from what it is in this case?—No; sometimes we go by record, attachment, and some by civil bill.

1736. Then

1736. Then in some cases in which an attachment is issued originally the case is afterwards tried by civil bill?—Sometimes, and sometimes by record; the first court they file a declaration, the second they put in a plea, and the third the question is tried.

1737. That is under the authority of your charter which creates the court a court of record?—Yes.

1738. Then in case an attachment has been issued, and the goods are seized, are they sometimes detained in custody until the court following, or are they usually bailed?—I take bail constantly, if they get good security; if not, I let them remain where they are.

1739. Have you a regular place for their being deposited?—No; the seneschal has the power of having them placed anywhere he chooses within the manor. I generally have them put in one place in Castledawson town, but we have the power of placing them anywhere we choose within the manor.

1740. Now, after that, supposing the party to go to trial by civil bill, instead of by the court of record, how is it done then; supposing the goods are seized to-day, and in a fortnight your next court will be held?—The action by civil bill is tried the first court-day.

1741. Is the civil bill served at the time the attachment is executed, or is it served between that and the next court-day?—Sometimes it is, and sometimes it is not; I give the parties time to settle.

1742. Supposing it is served, does the case come to trial at the next court-day?—It does.

1743. And in just the same manner as if no attachment ever had been issued?—Yes, by civil bill.

1744. As far as the trial is concerned?—Yes.

1745. Now, suppose no civil bill has been served, is the party then obliged to go on in the court of record, or what time do you allow him to bring his civil bill?—We enter the plaint the first court-day, proceeding by record; the second, the defendant puts in his plea, if he chooses; and we try the action the third court-day.

1746. That process is a much more expensive one than the civil-bill process?—Yes, it is.

1747. Is it often resorted to in the course of practice?—It is sometimes, and the plaintiff has the power either to proceed by record or by civil bill.

1748. Have you ever asked the reason, or does it strike you what is the reason, why the plaintiff uses that expensive process when he has the facility of obtaining redress by the cheaper process of civil bill?—I cannot answer that question distinctly, he has the power to do so if he wishes, and he does it of his own accord to prevent an appeal to the assizes.

1749. Is the action when brought to trial on the third court-day tried before a jury, in the same way as any other action?—Just the same.

1750. Are the greater number of those cases in which attachments are issued brought to trial at all, or are a large proportion of them settled?—A great number are settled.

1751. You said just now something about allowing parties time when they wished it, or allowing parties to try the case by civil bill in which goods are attached; in case they do not issue the summons in time for the next court day, do you generally allow them that time?—It is optional with me; I do not wish to put the parties to unnecessary expense; I think they will perhaps settle it; I often do that; if I find they will not settle, of course I proceed.

1752. Do you ever allow time for that more than from one court-day to another?—I must issue the process before the first court-day after the attachment.

1753. Then how do you give time afterwards, do you postpone the case from one court-day to the other?—No; suppose I issue an attachment to-day, and the court-day is a fortnight hence, I do not issue the process for a day or two, because I think they will settle, but if not, I issue it.

1754. You do not issue the process for two or three court-days, but when it is issued, it must be tried?—Yes, it must go on then.

1755. Are there in your opinion great advantages in this method of attachment against goods?—Yes, supposing a man is leaving our manor, for instance, and taking his goods with him, then I am applied to for an attachment, and the goods are detained, whereas if the person should go out of the manor, perhaps

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the creditor would lose the amount due to him; I certainly think attachments are highly necessary in that case. Suppose an individual leaving the country, the goods are seized, and if I do not get security to my satisfaction, of course I hold the goods over; I think attachments are highly necessary indeed.

1756. Do you require an affidavit of debt before you issue an attachment?—Certainly.

1757. Is it generally stated in that affidavit that there is danger of the defendant leaving the jurisdiction?—No, I do not think that is necessary; I only put to the plaintiff the question, is the money due; that is all that is necessary.

1758. You consider that is all that is necessary?—Yes; and if there were no attachment, the money would be lost in a number of cases.

1759. Are there any manors in your neighbourhood where there is no such process?—No; in the manor of Ballaghy they have the power of attaching, but there the court only carries 1 *l.* 16 *s.* 4 *d.* sterling.

1760. Do you mean there is a power of attachment in courts where the jurisdiction only goes to the extent of 40 *s.*?—Yes, they do attach; our charter mentions attachment distinctly against body or goods.

1761. You said the goods taken under attachment were sometimes kept in custody, and sometimes bailed; which is the most usual practice, should you say?—They are bailed mostly.

1762. Have you ever heard of persons complaining of goods being injured by goods being detained in custody until the court sat?—I cannot say I have.

1763. Do any persons practise as agents in your courts?—Sometimes they do, attornies; not often.

1764. Do you ever allow any persons not regular attornies to practise?—I would not.

1765. When attornies practise are they allowed a fee of 2 *s.*?—The plaintiff or defendant pay the attorney themselves; I do not know what they allow them.

1766. You do not charge the fee in any case against the other party?—No; I have nothing to do with it.

1767. Then your costs are 5 *s.* 6 *d.* British upon a decree?—Yes.

1768. What is your costs upon a dismiss?—The same.

1769. That is made up in the way prescribed by the Act of Parliament?—Yes; the bailiff's fees and my own fees altogether. I cannot charge more upon a civil bill.

1770. For issuing the summons, and signing the same, you charge 1 *s.* 6 *d.* of the present currency?—Yes.

1771. That is paid whether the case comes to trial or not?—Yes.

1772. That is paid whether anything is done, in fact?—Yes, there is 1 *s.* for my signing, and 6 *d.* for the bailiff; that is 1 *s.* 6 *d.* in the first place.

1773. How is that allowed?—I charge it; I am allowed 1 *s.* for my own signature; and the bailiff has 6 *d.* for his own trouble.

1774. Do you insist that the bailiff shall always serve it?—Yes, he must serve it.

1775. What are the other items?—4 *s.* for entrance.

1776. It is 1 *s.* in the Act of Parliament for entering the plaint?—I think an Act of Parliament passed since that, about 10 years ago, which altered it.

1777. Do you only think upon a subject upon which you are in the habit of exercising your jurisdiction?—I am positive we can charge no more than 5 *s.* 6 *d.*

1778. I want to know how you make up your item of 5 *s.* 6 *d.*?—1 *s.* 6 *d.* for signing, and 4 *s.* for entrance.

1779. Are you quite certain under what Act you charge that 5 *s.* 6 *d.*?—It was an Act brought in about 10 years ago. There is first 1 *s.* for signing my name, 6 *d.* for the bailiff, and 4 *s.* for entering the plaint; that is 5 *s.* 6 *d.*

1780. You charge 4 *s.* upon entrance?—I do.

1781. Whether there is a decree or not?—Yes, whether it is a decree or a dismiss, I am entitled to that; that is all I am entitled to.

1782. You do not know how the 4 *s.* is made up?—Yes, upon entering it in the book.

1783. Upon entering it in the book you charge 4 *s.*?—Yes.

1784. Are

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1784. Are all the cases obliged to be entered in the book before the court sits in the morning?—They might be entered the same morning; sometimes they are brought in an hour or two after the court sits.

1785. Do you ever refuse to enter a case, if it is not brought to you in the morning?—Yes, sometimes, if the books are closed.

1786. That is after all the cases are heard?—Yes.

1787. But when the books are not closed, you take every case that comes?—Yes.

1788. And you charge 4*s.* upon entering it?—Yes; that I am entitled to.

1789. Are you aware that the Act of the 25 Geo. 3 allows the bailiff 1*s.* for summoning the jury?—I am.

1790. Do you charge that?—No, I do not charge that.

1791. Are you not aware that is part of the 5*s.* 6*d.*?—No, it is not; it is quite the reverse.

1792. Are you certain it is quite the reverse?—Yes, it has nothing to do with it; my bailiff does not charge anything for summoning the jury; I would not allow him.

1793. Are you aware that what you are entitled to yourself is 1*s.* for signing the summons, 1*s.* for entering the plaint, and 2*s.* 6*d.* for the decree or dismiss?—Yes.

1794. You are aware that is all you are entitled to?—I am aware I am entitled to 5*s.* 6*d.* for a decree or a dismiss, that is 1*s.* for signing my own name, 6*d.* the bailiff, and 4*s.* for entering it in the book; that is what the law entitles me to.

1795. Are you aware that the law only entitles you to 4*s.* 6*d.* out of the 5*s.* 6*d.*?—No.

1796. And are you aware you take 6*d.* more than you are entitled to if you take 1*s.* for signing the summons and 4*s.* for entering?—No, I am not.

1797. You say the law was altered by an Act passed 10 years ago?—Yes.

1798. Have you read that Act?—I have read it. All the seneschals in my neighbourhood charge 5*s.* 6*d.* for a decree. A session decree is 5*s.* 10*d.*, and our decree is 5*s.* 6*d.*

1799. That 5*s.* 10*d.* for a session decree includes a fee of 2*s.* for an attorney?—Yes, it includes everything.

1800. And in your court it is optional with the party whether they employ an attorney or not?—Yes, it is optional.

1801. But in the other court the party is obliged to pay the 2*s.*?—Yes.

1802. And that is included in the 5*s.* 10*d.*?—I believe it is.

1803. You got your appointment in the year 1814?—I did.

1804. Was your appointment for life, or at the will of the lord of the manor?—At first it was at the will and pleasure of the then lord of the manor, Mr. Arthur Dawson; and afterwards I got it from the present lord, Mr. George Robert Dawson, for my own life.

1805. When did you get the appointment for your own life?—Six years ago.

1806. Have you a copy of your appointment?—I have.

1807. Will you produce it?—[*The same was delivered in and read, and was as follows:*]

Dear Sir, Castledawson 24 August 1832.

In consideration of your surrendering me the lease of the customs of the fairs and markets of Castledawson, I hereby bind myself, my heirs and successors, that you shall be, during your life, seneschal of the manor court of the Castledawson estate.

I remain your very faithful servant,

To Mr. S. D. Crawford, Castledawson. *G. R. Dawson.*

1808. I believe you petitioned the House of Commons, in the year 1836, against a clause in a Bill, introduced by the present Master of the Rolls (Mr. O'Loghlen) by which he proposed to abolish the civil bill jurisdiction of manor courts?—Yes, I did; I prayed for compensation.

1809. In that petition you stated as follows: "That the said manor of Castledawson is of many miles extent, and the emoluments derivable from the office are so considerable, that your petitioner took a lease of the same for the life of your petitioner"?—Yes.

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1810. In that statement you alluded to this appointment by Mr. George Robert Dawson for your life?—Yes.

1811. And it appears there was a valuable consideration paid for that lease by your surrendering an interest you had in the tolls?—Yes.

1812. And in consideration of your surrendering that interest, Mr. Dawson conveyed his appointment to you for life?—Yes, he confirmed the appointment to me.

1813. Have you a copy of the former appointment, by which you were made seneschal during the will and pleasure of the then lord of the manor?—No, I have not; it was in the common form.

1814. Your emoluments consist of the fees you have mentioned upon these several cases?—Yes.

1815. Your return states the average number of processes issued to be from 50 to 60 for each court-day?—I made a mistake; I have inquired particularly since, and I find they sometimes extend to more than 100; I recollect on one court-day there were 200.

1816. You stated your idea of the average at that time?—Yes; it is sometimes 104, 110, and so on.

1817. Had you your court-books by you for the year for which the return was called for by the Committee?—No, I have not them with me now.

1818. Had you them with you last year, when you received that order of the Committee to make a return?—No, I think I had only one book with me; I had mislaid the others.

1819. You are aware there is a penalty in the Act of Parliament upon a seneschal for mislaying his court-books?—Yes, I am perfectly aware of that.

1820. And you give that as a reason why you could not comply with the order of the Committee last year, to give a return of the number of cases entered for trial, or the number of cases tried?—I left the house I resided in formerly; I went back and examined one book; I do not know where they are; they may be there now.

1821. When you changed your residence, you did not take care to bring your books with you?—No; at the time I got the order first, I searched for them particularly.

1822. Whatever the number of processes be, you have 1*s.* upon each of them?—I have; upon attachments, again, I have 7*s.* 6*d.*, and of course for decrees, 5*s.* 6*d.*

1823. How many attachments, upon an average, are there for each court-day?—Indeed, that is very uncertain.

1824. Taking one court-day with another throughout the year, are there 50 in the year?—A great deal more.

1825. One hundred?—Yes, I dare say there are 100.

1826. That is somewhere about eight each court-day?—Perhaps not quite so much; I will say 60 or 80 in the course of the year.

1827. Upon each of those attachments you have a fee of 7*s.* 6*d.*?—Yes, we have.

1828. Does that all go to yourself?—A part to the bailiff; if they go on by civil bill, it is not so much; it is 3*s.* 6*d.* upon a civil bill; and if they go on by record, it is 7*s.* 6*d.* in the first place.

1829. So that if you issue an attachment to go on by civil bill, it is cheaper than an attachment that is to be tried by record?—Yes, it is; a decree by record is 1*l.* 7*s.* 6*d.*

1830. And a decree by civil bill or attachment, what is the whole cost of that?—3*s.* 6*d.* and 5*s.* 6*d.*; 9*s.*

1831. But if that is settled before it comes to trial, there is only 3*s.* 6*d.*, and 1*s.* 6*d.* for the process?—Yes, it must be paid.

1832. The process in all cases is issued?—Yes.

1833. Before an attachment is issued?—No, and sometimes I give them time; but they pay the 3*s.* 6*d.* for the attachment whether the process issues or not.

1834. Then they pay the 1*s.* 6*d.* for the process if it issues?—Yes.

1835. Upon a rough calculation, what should you say were the whole of your emoluments for a year?—It fluctuates so much I cannot exactly say.

1836. You have been in the office 24 years, and you may be able to give an average?—I suppose 130*l.* a year and upwards.

1837. Have you any fees in the shape of leet-money from the tenants?—I never charge it.

1838. Does the charter give you a power to do so?—Yes, but I never do so.

1839. Do you hold courts leet in your manor?—Yes, they meet once a year; we have the power to make bye-laws as to rates of trespass, disputed merings, &c.

1840. And the fees of the pound-keeper?—Yes; that is repealed now, I believe; I know of no Act to repeal them, but I believe it is repealed.

1841. Are there many appeals entered against your decrees?—A great many; and that is one thing I wanted particularly to mention to you; that is one great grievance the manor courts labour under, those appeals. I have known an appeal lodged in a case for cash advanced, or goods sold and delivered; when an action is tried before the jury, and a verdict found for the plaintiff, the defendant comes to me and says, "I want to lodge and appeal." "What are your grounds?" "No ground, but I want to gain time until the assizes come on." Then I am completely barred from issuing the decree; the defendant tenders 1*s.*, and I must put that upon record; the plaintiff lays out of his costs in the meantime, and also the amount due. What I should propose to be done is this: before an appeal should be entered by me, that an attorney should appear in open court, and make an affidavit that there is just ground for lodging such an appeal, whereas, as the law stands now, the defendant is not called upon to make an affidavit to that effect; there is no law to enforce it.

1842. Then you would allow no person to appeal but such as could fee an attorney to appear for him?—If an attorney, or any respectable person appeared for him, and maketh oath there is a just ground for appealing, I should not object; at present they can do so without any affidavit, which I think is a great grievance.

1843. They very often gain six or seven months by that?—Yes.

1844. How far is the assize town from your manor?—Thirty miles.

1845. Is not that a grievance to those who have a just ground of appeal, having to travel so far with their witnesses to attend the trial?—Yes; and I am barred from enforcing the decree in the meantime; I think it is a very hard case upon the plaintiff.

1846. Is it not sometimes a hard case upon a defendant?—Yes, but that is only one time in 50 or 100.

1847. In that one case, in any court, where a verdict is pronounced wrongfully against the defendant, is it not a great hardship on him to have to go 30 miles with his witnesses to try the appeal?—Yes, but the objection now is, that he is not compelled to make an affidavit, even in a case of cash advanced, or goods sold and delivered; he comes and lodges an appeal by paying 1*s.*, whereas if a respectable person, or an attorney were to make an affidavit that there is a just ground for the appeal, it would alter the case entirely: at present, I think it is a great hardship.

1848. If appeals could be tried more frequently, would it not be an advantage?—It certainly would; the assizes are held twice a year.

1849. Suppose appeals could be tried four times a year?—The question is who would try them.

1850. Suppose there was a tribunal established for the purpose of trying them?—I think it would be very proper that the defendant, or some person for him, should make an affidavit that there was just ground for lodging the appeal.

1851. Would that remove all evil from the present system of appeals?—I think it would.

1852. All?—I do not know that it would remove all.

1853. Would it not leave the evil exactly as bad as ever in a case where the defendant had a just ground of appeal?—Not at all. What I mean is, that any respectable person should come forward, and state that the defendant has a just ground for lodging the appeal; whereas, as the law stands, he may lodge it without any ground at all.

1854. Is there never an appeal lodged with just grounds?—Indeed there is very few.

1855. Taking the case of those few, suppose an affidavit were obliged to be made,

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made, would not all the hardships which press upon a defendant with a just cause of appeal remain as bad as ever?—Not at all; the judge tries the case. If there is just ground for lodging the appeal, why not make an affidavit.

1856. Suppose an affidavit to be made, and suppose every one was required to make an affidavit, if there were then any persons who had not just grounds of appeal, would there not be a temptation to such persons to perjure themselves?—There might; but I would propose that a third person should come forward and make an affidavit that there were just grounds for lodging the appeal.

1857. Supposing that done, and that no appeal would then be lodged unless there was a just ground; supposing that to take place, do you think it fair upon the defendant, who has a just ground of appeal, to be obliged to travel 20, 40, or 50 miles to the assize town, and wait there, with his witnesses, at a considerable expense, until his appeal is tried?—Yes; but he cannot help that.

1858. If we alter the law in one respect, we can in another?—Yes.

1859. Have you ever thought what would be the effect if the appeal were given to the barrister at quarter-sessions?—I have thought of that.

1860. What is your opinion of it?—I think I would rather have it tried before the judge of assize.

1861. Why?—Because he is more learned in the law than a barrister.

1862. Do you think no one is fit to decide upon manor court cases except those who are exceedingly learned in the law?—No, I do not think any such thing; but I think it would give more facility for lodging appeals, if tried before the barrister; that is another reason.

1863. Do you think it would give more facility for vexatious appeals?—Yes.

1864. Then you think it would give more facility for vexatious appeals, if the party were sure it would be tried in two or three months, instead of in six or seven months?—It would.

1865. Then, in fact, you do not like appeals at all?—In some cases I would recommend them; in intricate cases.

1866. You would recommend appeals generally in intricate cases?—Yes, upon points of law; difficult points of law may take place.

1867. You recommend appeals in such cases?—Yes, I often do recommend them.

1868. Are there any cases so intricate that you think the assistant barrister would not be a competent judge of them?—I think he would.

1869. Then, in intricate cases, in which you recommend an appeal, what harm would there be in giving a person a facility of trying his case within four or five miles, and trying it at a nearer period than the assizes would enable him to try it?—I said before, the further they have to go the greater would be the barrier to those appeals; I think it is a very unjust law.

1870. The law which allows parties to appeal?—Yes, on account of not being obliged to make an affidavit.

1871. Suppose an affidavit were required, and that then the appeal were allowed to be tried before the assistant barrister?—I should be very well satisfied if a person came forward to me and made an affidavit that there was just ground; that is all I want.

1872. Then, in that case, you think there would be no harm in having them tried before the assistant barrister?—Not the least.

1873. Have you ever any disputes as to your jurisdiction; as to whether any particular place is within your manor or not?—I conceive I can hold the court any where I choose within the manor.

1874. Have you ever any dispute as to whether any township belongs to your manor or not?—No.

1875. The bounds are very well defined?—Yes, very well; it is a very populous place, Castledawson manor.

1876. Do manors extend generally over the whole of the county?—I think they do; I do not know much about Coleraine or Derry.

1877. I mean in your part of the country?—Yes, there are manors there.

1878. Do you know any part of a county which has no manorial jurisdiction over it?—I do not know about Coleraine or Derry, I think they have courts there;

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there; there is a manor court in Ballaghy, at Moneymore and Magherafelt; and generally speaking, I think there are courts all over the county.

1879. Do you find that diminishes the quantity of business in the assistant barrister's court?—I must say if those appeals were diminished, I think it would add much to the business of the manor courts.

1880. You think the system of appeals takes business out of the manor courts?—Certainly; why would a man apply to us when he is kept out of his money and his costs six months; whereas if a third person came into court and made an affidavit that there were just grounds for appealing, that is all that is necessary. I think it must have been a flaw in the Act in former times.

1881. Without talking of what may be, will you state what is the state of things; is there much business done in the assistant barrister's court?—There is a vast deal.

1882. How often are the sessions held in the town of Magherafelt?—Twice a year, January and July; I think they are held in Derry again, Newtonbarry and Coleraine once a quarter; every three months.

1883. Are you in the same division of the county as Derry?—We are in the division of Coleraine.

1884. And the sessions are held twice at Magherafelt, and twice at Coleraine?—Yes.

1885. Then in fact they are half-yearly sessions, with a half-yearly sessions at Coleraine?—They are held twice a year with us at Magherafelt; once in January and once in July.

1886. Supposing the cause of action arises in February or March, if persons do not choose to wait until July they can try their process at the Coleraine sessions?—Yes, it is the same district.

1887. How far is Coleraine from you?—Twenty-one miles.

1888. Has there been any application made since the new Act for sessions four times a year at Magherafelt?—I have not heard of any.

1889. Do persons complain of having to go 21 miles to Coleraine?—They do.

1890. Are you acquainted with Mr. Miller, the seneschal of the manor of Drapers, which is held in the town of Moneymore?—Yes, I am.

1891. Are you aware that he stated in his return to this Committee last year, that persons frequently have complained to him of the expense and trouble they have been put to in having to attend the Coleraine sessions?—Yes, it is a distance from him; it is 27 miles from his place.

1892. Do you not think that might be prevented if you had the power of holding the court four times a year in your part of the division?—I think it might; they would much rather go to the manor court only for those appeals; that is my idea now.

1893. You speak of the tenantry of Castledawson?—I speak of the country generally, including the tenantry of course; if this law were repealed or altered, I think the people would be perfectly satisfied.

1894. Is the pecuniary jurisdiction of the other manor courts in your neighbourhood, in general, equal to yours?—Not all; there is one at Toome Bridge, Lord O'Neill's manor, which has the same charter as Castledawson has; but Ballaghy, and Moneymore, and Magherafelt, they are only 2 *l.* Irish.

1895. Do any persons in the neighbouring manors complain that they have not so large a jurisdiction as your manor has?—Yes, they do.

1896. Are many seneschals magistrates in your county?—There are some; there is Mr. Hunter, who is seneschal of the manor of Vintners, belonging to the Vintners' Company, of London, which adjoins us; and Captain Miller, of the manor of Drapers.

1897. Is he a magistrate?—Yes.

1898. Is the seneschal of Magherafelt a magistrate?—Yes, Mr. Spottiswood.

1899. How long has he been seneschal?—Not more than six months.

1900. The last seneschal was not?—No, he was not.

James Barry, Esq. called in; and Examined.

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1901. Mr *Litton.*] WHAT is your profession?—I am a solicitor.

1902. I believe you are seneschal of three manor courts in the county of Tipperary?—I am of four.

1903. Lord Glengall's courts, I understand?—Yes.

1904. Where are those four courts situated?—In the upper part of the county of Tipperary; principally in Iffa-offa West.

1905. Are all four of them situated there?—Part of one of the manors runs into Iffa-offa East; two of the manor courts are brought into one; one was small; they joined one another, and a court has been held in one manor for the two.

1906. Then there are four manors, but only three courts?—Yes.

1907. Which two manors are joined?—Rehill and Ballylooby.

1908. Are both in the same barony?—Yes.

1909. That is Iffa-offa West?—Yes.

1910. What are the names of the other two?—Caher and Castlegrace.

1911. Is Caher in the same barony of Iffa-offa West?—Yes; there is part of Caher, about 200 acres, in Iffa-offa East.

1912. Will you describe how it is that one court is held for the manors of Rehill and Ballylooby; are they two distinct manors?—One is a sub-denomination of the other.

1913. Two distinct manors, with one court?—It was originally so mentioned; in the patent it mentions Rehill and "burgess land," a part of Ballylooby and Burgesslaw.

1914. Mr. *Jephson.*] Then there is but one patent for the two manors?—There are three manors, but only one patent; all are stated and named in the one patent.

1915. Mr. *Litton.*] Then what are the names of the two manors for which there is only one court held?—Rehill and part of Ballylooby.

1916. Why do you say "part of Ballylooby"?—Because it runs, in an odd sort of way, into the lands of Ballylooby, and is so mentioned in the patent for holding the manor court; for Lord Waterpark's property runs into part of Ballylooby, and he claims to hold a court for part of the manor.

1917. The court at Caher, what manor does that comprise?—The manor of Caher alone.

1918. What does Castlegrace comprise?—The manor of Castlegrace alone.

1919. That of Rehill comprises the manor of Rehill and part of Ballylooby, and the other part of Ballylooby is presided over by part of the manor of Lord Waterpark?—There is no manor court held there, nor has there been; but he claims a right to part of the manor of Ballylooby or Burgesslaw.

1920. Then I understand that the jurisdiction of the manor court of Rehill only goes over a part of Ballylooby?—A very large part.

1921. Mr. *Jephson.*] Was that part of Ballylooby which is presided over by the seneschal of Rehill mentioned in the patent by which the court of Rehill is entitled to sit?—It was, and it was so decided by the judge of assize on appeal. The question was tried by appeal before Judge Johnson, at the time Lord Waterpark was claiming the entire manor of Ballylooby as to the question merely whether it was or was not; and the judge was perfectly satisfied, upon looking at the patent, that it was comprised within it, thereby affirming the decree.

1922. Mr. *Litton.*] Will you describe to what extent is the jurisdiction of each of those three manor courts respectively, as to the recovery of debts?—Five pounds Irish upon book debts, and 10*l.* upon bills of exchange and promissory notes.

1923. Then there is no difference in the jurisdiction?—None.

1924. Have they any other jurisdiction, save over book debts and promissory notes?—No; there is a power in the patent of holding courts leet and view of frank pledge, but that is never exercised.

1925. But with respect to property, they have no other jurisdiction but what you have described?—None, but in actions of trespass.

1926. What kind of trespass, to land or to the person, or both?—Trespass to land.

1927. Only trespass to land?—Only that.

1928. To what extent does the jurisdiction go in that respect?—Forty shillings.

1929. Only

1929. Only 40*s.*?—Only to that.

1930. Mr. *Jephson.*] Do you mean to say that actions of debt can be recovered to the amount of 5*l.* or 10*l.*, and actions of trespass only to the amount of 40*s.*?—Yes.

1931. Is that specifically stated in the patent?—Yes.

1932. Mr. *Litton.*] You are sure that is the case?—Yes; but as long as I have been seneschal, no action of trespass has ever come before the court.

1933. How long have you been seneschal of those three manors?—Eighteen or nineteen years.

1934. Did your appointment to all commence at the same time?—It did.

1935. Then you do not take upon you to speak positively as to the actions of trespass, but the jurisdiction as to book debts and promissory notes you have described already?—Yes.

1936. May I ask what is your salary as seneschal of those three manors?—There is no salary attached to it, except from the fees of the office.

1937. What is the process of these courts for the recovery of book debts and promissory notes, and for having the appearance of parties to actions of trespass?—It is in the form of a summons, signed by the seneschal of the manor, and dated seven days before the holding of the court. It requires three clear days' service. It is the 7 & 8 Geo. 4, which regulates that; the former service was much longer.

1938. Have you in these manors, or either of them, a process by attachment?—No.

1939. Or a distress upon goods to compel an appearance?—No.

1940. Then you have no taking either of the person or of the goods in either of those manors, as I understand you, except in execution?—None.

1941. And if the party does not appear on summons, what is your course of proceeding then?—The service of the process or summons must be proved by the bailiff of the manor, that it was served three clear days before the court; and if the party does not appear, the case is proved by a witness, if over 40*s.*, as the power given by the 7 & 8 Geo. 4 to the seneschal is to swear the plaintiff in any suit or action as far as 40*s.*

1942. Does that answer apply to cases of trespass to land?—As I mentioned before, I never tried an action of trespass.

1943. That is as to book debts?—Yes.

1944. Supposing the amount is larger than 40*s.*, as you said you had a jurisdiction to 5*l.* on book debts, and 10*l.* promissory notes, must there be a witness?—There must always be a witness, or there can be no decree.

1945. Mr. *Jephson.*] You made a return to this Committee, I believe?—Yes.

1946. By that return it would appear that the three manors of Rehill, Caher, and Castlegrace were held by Lord Caher, under one patent?—Yes.

1947. They are not separate patents?—No, they are not; I stated there were three separate manors, but only one patent.

1948. Each court is held then for the entire of the three manors?—Each court is held separately for each manor; the manor of Caher is a manor in itself, so is the manor of Castlegrace, and so is the manor of Rehill.

1949. But in the returns you have made you have placed them altogether?—As to Caher and Castlegrace, very likely that was the return I made.

1950. In case a cause of action arose in Rehill manor, would you try that cause in the court of Caher?—Never.

1951. You would keep them always distinct?—Always. If there are two persons joined in a promissory note, and one lived in the manor of Caher and the other in the manor of Castlegrace, or the manor of Rehill, I always recommend the parties to go to the quarter sessions.

1952. In your return as to the extent of the pecuniary jurisdiction, you state it thus: "The extent on the recovery of debts is 5*l.* Irish, by book account, and 10*l.* Irish by promissory note." Will you, as nearly as you can recollect, state to the Committee the words of the patent by which that jurisdiction was granted?—I am unable to do so from recollection.

1953. Mr. *Litton.*] You have mentioned, which is important information, that in all cases under 40*s.*, if the party does not appear, the plaintiff's own swearing is taken; but if it be above 40*s.* that is sought to be recovered, there must be witnesses?—There must.

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1954. Is that the same in case the party does appear to the summons?—Yes.

1955. So that even if he appear, the swearing of the plaintiff is taken against him if the demand be under 40 *s.*?—Yes, if he has no witness; if there are witnesses on both sides, the court has the power of swearing the plaintiff or the defendant, if there be any doubt about it. The statute of the 7 & 8 Geo. 4 gives that power.

1956. In the common mode of practice, if the parties appear, do you commence the proceeding by swearing the plaintiff, or do you ask him whether he has a witness?—In every case I ask him whether he has a witness.

1957. Suppose the defendant is prepared with a witness, and the plaintiff is not prepared with a witness, in such a case as that is it the usage of the manor courts to examine the plaintiff?—Under 40*s.* it is. The greater number of cases tried in each manor do not exceed 40 *s.*, but are considerably under it.

1958. Even in that case the plaintiff is examined?—Yes.

1959. So that the jury might, if they pleased, find upon the plaintiff's swearing against the evidence of the witnesses for the defendant?—They might do so.

1960. As well as against the defendant's own swearing?—Yes, they might do so.

1961. In other words, they may examine either the plaintiff and defendant, and give such weight to his testimony as they think fit?—Yes, they have that power.

1962. Have you ever known a case in which there has been a verdict, finding for the plaintiff upon his own swearing against the defendant's swearing, both parties being without witnesses?—I will not be positive in saying that, it so seldom occurs; I do not think, within my knowledge, for a number of years, it ever occurred. Either party, if it were a litigated matter, would have witnesses.

1963. Then, in the great majority of cases, I understand you to say there are witnesses on both sides?—There are.

1964. Then, if the subject-matter is over 40*s.*, and the defendant does not appear, do I understand that in such a case the verdict is taken upon the examination of witnesses?—Yes.

1965. And never without it?—Never.

1966. Now, when a verdict has been had, what is your species of execution for the amount?—By decree against the goods of the defendant alone.

1967. And not against the person?—Not against the person.

1968. There is no proceeding, either by attachment or summons, to compel the appearance, or by execution against the person?—None.

Jovis, 31° *die Maii*, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Mr. M. J. O'Connell.
Mr. Litton.	Mr. Redington.
Captain Meynell.	

MORGAN JOHN O'CONNELL, Esq. IN THE CHAIR.

Mr. *Edward Patrick Macdonnell*, called in; and Examined.

1969. *Chairman.*] ARE you in any profession?—No.

1970. Where do you reside?—At Cahir, in the county of Mayo.

1971. Are you acquainted with any manor courts in your neighbourhood?—I am.

1972. Have

1972. Have the goodness to state to the Committee what the names of those manor courts are, and who are the seneschals?—The manor of Castlemore, of which the Reverend Joseph Seymour is the seneschal, and the manor of Castlebar, of which Mr. Sinclair O'Mally is seneschal; I have been present once or twice at the manor of Westport, of which Mr. Clendinning is seneschal.

1973. Is the manor court of Castlebar still in active operation?—Yes.

1974. Has the seneschal sat in his court within the last year?—I should think he has within the last year; Mr. O'Mally is very often from home, he is agent for Lord Lucan, but his court is advertised for the second Friday in every month.

1975. It was so during the last year?—Yes.

1976. Can you assign any reason why he has not made any return to this Committee concerning his court?—I cannot; I never heard that he was applied to.

1977. Where does the clerk of the peace for your county reside?—At Ballinrobe.

1978. Is that near to Castlebar?—It is 14 miles.

1979. Do you think he is aware of the existence of the court of Castlebar?—I am certain he is, for it is held in the very court in which he has an office.

1980. Which of those courts are you best acquainted with?—Castlemore; that is in the barony I live in.

1981. The Reverend Joseph Seymour is the seneschal of that court, is he not?—He is.

1982. Are you aware that he was examined before this Committee in the course of last session?—I am.

1983. Have you often attended that court?—Very often.

1984. The court is held, as appears by Mr. Seymour's evidence, in three places; Ballaghadereen, Ballahaunis, and Carra Castle?—Yes.

1985. Have you attended the court in all those three places?—Yes.

1986. In Ballaghadereen it appears that the court is held in a court-house, and in the other two places in rooms, which either do or did belong to public-houses?—In Ballahaunis it was generally held in the house of a man of the name of Lynes, one of Mr. Seymour's bailiffs; and also the special sessions, under the late Act, were held in the same house, there was no other place to hold them.

1987. Have you ever attended as a juror on any occasions in that court?—Very often.

1988. Are the juries generally, or the greater part of them, summoned from a respectable class of life?—As far as it can be done; there are several of them on the special panel of the county.

1989. Are the jurors regularly summoned to the court?—I have never known an instance of that, except two or three times; Mr. Seymour very often, when he is about to have a court at a particular place, writes to the gentlemen near that place to request their attendance.

1990. As a favour?—Yes.

1991. You say you are yourself within the manor of Castlemore?—There are several small estates which claim exemption from the manor; I am the proprietor of one of those, but from the manner in which it is worked all through I have never made an objection.

1992. Are you aware whether your estate ever was known to have belonged to the manor?—I am not; my father and my grandfather were seneschals of that manor, and it was not likely they would themselves curtail their jurisdiction.

1993. Have you seen the patent?—Never; but Mr. Seymour told me that it mentioned the words "upper and lower barony, and the estate of Manning."

1994. Does it include the property you hold?—No.

1995. So that there is a doubt whether you are properly resident in the manor in which you have acted as a juror?—Mr. Seymour has never had a doubt; some of the old proprietors never have made an objection, but some of them say that they were told formerly that none of their lands were within the manor, but that is only to a small amount.

1996. Mr. Seymour returns the manor as comprising the whole of the barony of Costello?—This is just at the end of the barony.

1997. Is your land surrounded by lands which are the property of Lord Dillon?—

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Dillon?—Yes, above and below; Lord Dillon's land runs through the barony. The Costello barony includes the lands of Cahir; there are a number of small properties, each having the same name; part of Sir William Brabazon's property runs into Costello, and his people have always been summoned to the manor court, and there has been no objection made.

1998. All those properties are within the barony of Costello, over which Mr. Seymour has jurisdiction?—Yes.

1999. Do you find that good order and regularity are kept in those courts when you have attended?—Generally speaking, very good; the country people, when they are defeated, are generally loud in their conversation; but generally speaking, there is very good order kept.

2000. That loudness of complaint at the moment is soon suppressed?—It is.

2001. The seneschal, the Rev. Mr. Seymour, is a magistrate of the county?—He is.

2002. Does not that give him a weight and influence over the people, which he would not otherwise have?—I should think not, for I never saw him exercise his authority as a magistrate; he has been a long while with them, and I think his influence as a country gentleman is very great.

2003. Are the other seneschals you are acquainted with all magistrates?—Yes, all three.

2004. And all, of course, gentlemen of respectable station of life?—Mr. O'Mally is the agent of Lord Lucan, who is the proprietor of Castlebar; Mr. Clendinning is the agent for the Marquis of Sligo, and several of the great proprietors in the country: besides, there has been a fourth seneschal appointed, in Newport Pratt, who, I believe, is a half-pay officer, Mr. Lundy.

2005. Are you aware that there is a court at Killalla?—Yes.

2006. Is the seneschal of that court a magistrate?—I think he is not; he is a Mr. Cooper.

2007. He states himself in his return to be a merchant?—I am not aware what he is.

2008. Are the juries always the full number of 12?—Always.

2009. Have you ever known persons who were about to be put on the jury challenged by any parties who came into the court?—I have.

2010. What cause of challenge have you known brought forward?—It very seldom occurs; but some are challenged on account of relationship, others from pre-expressed opinions, and it often happens that country persons have a spleen against each other, and one would say, I "should not like that such a man should be on the jury."

2011. Is that considered a sufficient reason?—The seneschal always removes the person.

2012. He has always a sufficiency of good jurors in attendance to do that?—Yes.

2013. Have you any of the class of small farmers in the country on those juries?—Yes.

2014. Do you find them generally intelligent and suitable persons as jurors?—Very much so. The matters in dispute are generally between the country people; for instance, for provisions sold and dealings of that kind, and they are, in point of fact, as good judges as persons in a higher rank of life.

2015. Have you ever known jurors themselves object to serving?—I have.

2016. In those cases in which dealings for provisions are the subject of actions in the court, has there ever been any complaint with regard to usurious bargains?—Very often.

2017. What is the general practice of the juries in your part of the country when they find a bargain for oatmeal or flour, or matters of that kind, made on usurious terms?—In the first place, some poor persons take the provisions for a twelvemonth on credit, then if the person is not paid for a year or two afterwards they allow more; but, generally speaking, they cut down as far as possible, to allow the person selling a fair remuneration for the loss of time, and they also, as far as they can, look into the quality of the provisions given. Great numbers in that country are obliged to take their seed oats on credit, and some their potatoes for seed.

2018. The jury, in fact, on no occasion lean unfairly in your opinion towards that class of persons who profit by such bargains?—No; I think they generally act

act as a sort of arbitrators between them, and give them fair play on both sides. I have hardly ever seen a defendant go away dissatisfied. Sometimes they are obliged to pass notes at an exorbitant rate of usury, and I have never known the jurors hold the notes to be final and good beyond the original value; some will not give their provisions until they get promissory notes for them, with some other person signing with the persons who buy, as further security.

2019. Have you ever cases before you where the witnesses are unable to speak the English language, and express themselves in Irish?—Yes.

2020. The juries in general understand the Irish language, do they not?—In general they do.

2021. Is the seneschal sufficiently acquainted with it?—Mr. Seymour understands it pretty well, but he does not speak it.

2022. He knows the substance of what is told to the jury?—Yes.

2023. Do you find that the circumstance of persons being obliged to tell their own story in the language they can speak best, without the intervention of an interpreter, gives them confidence in the decisions generally?—Yes; we often find that when a person is engaged in giving evidence by interpretation, he will begin in the middle to express himself in Irish.

2024. Do you find that persons who can speak English wish sometimes to be examined in Irish to avoid a rapid cross-examination?—Yes.

2025. Upon the whole, does the administration of justice in your court give satisfaction to the people?—I should think so, there are very few appeals.

2026. With regard to appeals, a practice prevails in that part of the country that the party appealing is obliged to lodge double the amount of costs in the court?—Yes.

2027. Does not that tend to check undue appeals?—I think it would where the amount was very small; but on the other hand, it is a great protection to the plaintiff. Appeals are generally lodged for the purpose of gaining a little time; they hardly ever go on.

2028. Are you acquainted with the other courts of the country sufficiently to say whether the lodging double costs prevails in them also?—I am not; but I know the entrance money is the same at Castlebar, for I have land near the town, and have had occasion to enter some processes there.

2029. That is the system of making a party pay 4 *s.* 6 *d.* whether the case goes to a final decree or not?—Yes; but Mr. Seymour's practice is, in the event of no decree or dismiss, to return 2 *s.* 6 *d.* of that.

2030. That is in case the process is what is called "nilled?"—Yes.

2031. But if a decree is pronounced, or a dismiss, he retains it?—Yes; whenever a dismiss has been pronounced, they generally take it out for the purpose of preventing farther litigation; the defendant is glad to get it, for it costs him nothing.

2032. Are there many parts of the county of Mayo you are acquainted with in which there are no manor courts?—Yes; for instance, the barony of Gallan, next to me; my grandfather and father were seneschals of that manor; the right of the appointment of the seneschal of that manor was taken from Lord Dillon, and I am not sure that there has been any seneschal since.

2033. By whom is it now claimed or possessed?—I am not sure, whether Sir William Henry Palmer or Mr. Knox; I should rather think Sir William Henry Palmer, but my father, I believe, was the last seneschal who held the manor under Lord Dillon.

2034. How long is it since he held that seneschalship?—A great number of years; it was then an office of great emolument; there were no sessions; he made 800 *l.* or 1,000 *l.* a year; the then manors comprehended a great part of the county of Mayo, that was before the civil bill courts were established.

2035. After that it was some time before the sessions were held in a convenient situation for the barony of Gallan?—It was only last year Sir William Brabazon got the sessions at Swinford, that is in the barony.

2036. The establishment of a sessions at Swinford does away with any inconvenience the inhabitants sustained from the loss of their manor court?—I believe there are a very few of the inhabitants who ever saw the manor court held there.

2037. In the barony of Costello do you obtain the benefit of the Swinford sessions?—No; Swinford and Costello were, before the change, in the same division, but they are now separated; it would be a great benefit to us if our barony was attached to Swinford; there is a part of it 10 miles from Ballinrobe.

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2038. Is that your nearest sessions?—No, Claremorris; but there is but 10 miles between them; our barony runs round Swinford.

2039. Your county borders on the counties of Sligo and Roscommon?—Yes, our barony borders on Sligo and Roscommon, and I think Galway.

2040. It would appear that the Privy Council, in newly arranging the divisions of your county, have not given much consideration to the local circumstances of the barony of Costello?—It appears not by that.

2041. Have you heard it complained of elsewhere that the divisions were made hastily, and sometimes inconveniently for particular places?—I do not think there is any complaint in my part of the county, except for Costello; the rest were arranged some months since. There was a memorial got up by the gentlemen of the barony to have a sessions at Ballahaderine, that is the only town where there is accommodation, such as a court-house; but Ballyhaunis would be somewhat more central.

2042. What answer has been made to that memorial?—I never heard of any answer.

2043. It has not been complied with?—No.

2044. How far are you from the town of Swinford?—About seven miles.

2045. Sessions are held there twice a year?—Yes.

2046. How far would Swinford be from the place which is furthest from Claremorris?—From 13 to 14; Ballahaderine is between 13 and 14 miles from Swinford.

2047. What are the sessions towns besides Swinford?—In Swinford twice; in Ballena twice, and adjourned from Ballena to Belmullet once a year.

2048. The second division is Claremorris and Ballinrobe?—Yes; twice a year in each.

2049. And the third division Castlebar and Westport?—Yes; twice a year in each.

2050. Do you conceive it would be more convenient to the county generally, and to your own district also, considering its locality, if you were to have a sessions court at Swinford, or if you were to have a separate sessions at Ballaghadereen?—I think it would not answer to attach the whole barony to Swinford, for there are parts of the barony within eight or nine miles of Claremorris, but there are some parishes which I think might be very usefully attached to Swinford.

2051. Without dividing a parish into two parts, you think you might make that arrangement?—Yes; but there are two parishes; the one in which Ballaghadareen is situated, and the next to it, for which it would be very useful to have a court at Ballaghadareen; for the others I think it would be useful to go to Swinford.

2052. It could be done without incurring the expense of new court-houses, or the barristers travelling further?—Yes, except travelling to Ballaghaderreen.

2053. How often is the manor court of Castlemore generally held?—I should think once in three weeks, or within once a month, at all events.

2054. Held alternately at those places?—He holds his court at Ballahaunis, for convenience, generally before the sessions at Ballinrobe and Ballahunis.

2055. Mr. *Redington.*] Is there a great deal of business done in those manor courts?—Yes, there is.

2056. In what way does the holding the manor court just before the sessions particularly convenience the inhabitants?—There are generally a great number of civil bills tried there before the sessions.

2057. Do you think if there were greater facility of going to the quarter sessions; in fact, if the quarter sessions were held in a more convenient and contiguous spot, the people would prefer bringing their causes on before the barrister's court to bringing them before the seneschal?—I think not; going to the barrister's court is attended with very great expense.

2058. Do you mean an expense caused by distance, or the process of proceeding there?—From distance, and the uncertainty of time they are likely to be kept from home.

2059. Supposing those two obstacles to be removed, and that both courts stood in respect of travelling on the same footing, the people would prefer going to the seneschal's court to going to the barrister's court?—I think in some instances they would prefer going to the seneschal's court; there are a great many actions brought that could not be entertained at the barrister's court.

2060. Supposing

2060. Supposing the question to refer to those cases that would certainly be entertained?—I think if a person wished to have a decree put into force at once he would prefer the barrister's court.

2061. Do you mean that the cases would be such as the barrister could not legally entertain?—Yes; I have seen such cases, and a judge of assize has always ruled in favour of the seneschal's court; for instance, the seneschal's court will not try any case of trespass, but the seneschal will try questions relating, though not upon the title, to bargains about farms and small divisions of land; he will not go into title, but questions of conacre, and so on.

2062. You state that there are some cases the barrister would not entertain, and that, in consequence of that, persons would be more inclined to go to the seneschal's court; if those cases cannot be legally entertained by the barrister, would you consider it a hardship if they were prevented carrying them to the seneschal's court?—There are cases in which poor people would have a good cause of action, where they would be at once dismissed at the sessions by a frivolous objection, and they would not have an opportunity of trying it again through want of means; now there is no such objection allowed in the seneschal's court.

2063. What is the difference of expense?—I should think very little; the expense at the session is something more.

2064. There are some places near to which the sessions sit, and where there are also seneschal's courts in the same districts?—Yes, there are.

2065. Do you find that in those parts of the country the people are more willing to go to the seneschal's court than to the barrister's court?—There is no seneschal's court has such a territorial jurisdiction as Castlemore; at Castlebar they go only a mile round the town.

2066. *Chairman.*] Within that circle of a mile round the town of Castlebar, do the people in general come into the manor court, or the barrister's court?—The manor court there is a very irregular court as to its sittings, and that may very often deter persons from bringing their civil bills there.

2067. Are there any others in the neighbourhood?—Yes, the manor court of Westport.

2068. What is the district that comprehends?—I should think Lord Sligo's estate.

2069. That extends some miles round the town?—Yes.

2070. Do you find that in those cases the people prefer the manor court to the sessions?—Yes, in some cases; they do not like to go far from home.

2071. Take persons living within a circle of four or five miles of Westport, do they generally bring them to the sessions court or the manor court?—I am not so well acquainted with Westport, living at a distance; but with regard to Castlemore, I am acquainted with the proceedings.

2072. Have you heard complaints of decisions in manor courts?—Yes, I have.

2073. Have you heard complaints of decisions at the sessions?—Very often.

2074. Are the decisions of the sessions very often reversed?—Yes, very often.

2075. Are the decisions in the manor courts as often reversed?—Very seldom, there are very few appeals from the manor courts.

2076. Are you aware what is the amount to which those courts can go?—Mr. Seymour's goes to 10*l.* Irish; in the Castlebar court, I believe Mr. O'Mally says his power is unlimited.

2077. What is his practice?—I have once seen process for 50*l.* there, but it was not tried; I am not sure whether there was not some arrangement between the parties. As to the Westport court, I am not aware of the extent.

2078. Before the sessions were held at Swinford, where did the people of that district attend the assistant barrister's court?—Claremorris and Ballinrobe; it was in the same division then.

2079. Had they as far to go as people from the remote parts, or nearly?—The remote part of Gallan was a very remote distance.

2080. Do they complain very much of the want of a near court for the recovery of their small debts?—Of course they do, and it is a very great hardship on jurors they are obliged to go to Ballinrobe sometimes.

2081. Have they ever made an application to the lord of the manor to renew the appointment of the seneschal, and to renew the manor court in that district?—I am not aware; there is no court held there now.

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2082. If they had made such an application, do not you suppose you should have heard of it?—I should, I believe; there is some dispute who is the lord of the manor; I heard that Lord Dillon formerly had the chief-rents of part of the barony on which he appointed a seneschal, but I have reason to know that my father was the last seneschal appointed by Lord Dillon.

2083. Did the late Lord Dillon ever sell these chief-rents?—I am not aware that he did.

2084. Are you aware how he came to lose the lordship of that manor?—No; whether it was by any legal proceeding I do not know. I heard some time since that Sir William Palmer intended to appoint a seneschal.

2085. Do you think he now perseveres in that intention, considering that they have sessions in the barony?—I have not heard of it of late; it was from his law agent I heard it some time ago.

2086. Are there any other districts in your neighbourhood in which there are no manor courts?—I do think that there are; there is no manor court held in the barony of Clanmorris. I do not know that there ever was one.

2087. And not at Castlebar, except for a mile round the town?—No.

2088. Do the people round that circle complain of the want of such a court?—I never heard that they did; they have two sessions towns near them; Westport is only eight miles from Castlebar.

2089. Have you ever heard that property was less valuable in consequence of the absence of a manor court?—Never.

2090. Do you not conceive that the satisfaction which you mentioned to prevail generally with the manor court proceedings in your county may be attributed largely to the fact of the seneschals being respectable men?—Certainly.

2091. If the lord of a manor were to be careless about his appointment, and to appoint those in whom the people have no confidence, would that have a very great effect?—Certainly; in the first place, no gentleman would attend as a juror; a great many persons in my barony who attend do it out of personal compliment to the seneschal.

2092. If the seneschal, though a very respectable man, were to be personally disagreeable to the respectable inhabitants of the manor, he would feel a difficulty probably?—Yes, unless he resorted to harsh measures; but the fine he can impose is only 20 *s.*

2093. You might, under your circumstances, resist that fine?—I might, but I have never availed myself of it. I should state, however, that I am also a tenant of Lord Dillon's within two miles of my residence, and there is a clause calling upon me to do suit and service; it is under a lease taken by my father from the grandfather of the present Lord Dillon.

2094. There can be no doubt you are a tenant of the manor, though you may not be resident within it?—Certainly; I am a tenant of the manor at all events.

2095. Do attornies ever practise in the manor courts?—Very often.

2096. Do you find that attended with any advantage?—The seneschal, I think, generally finds it an advantage, in case he has two; they are generally one on each side. I think if attornies were to attend constantly, he would have a greater number of civil bills.

2097. In any respectable court the seneschals are very desirous of having attornies?—Yes; at the manor court at Castlebar attornies constantly attend. I have never been in the court, but I have seen attornies; but there are a great number living in the town of Castlebar.

2098. They are the same class of attornies as practise at the quarter sessions probably?—Yes.

2099. Mr. *Redington.*] Do not you think it would give more satisfaction to the people if a legal man were seneschal, than a person not conversant with law?—I think any respectable country gentleman would be as good a seneschal as any legal man.

2100. May not questions arise where seneschals are required to have a knowledge of the law?—There may.

2101. Perhaps as much knowledge of law may be required in some cases by seneschals, as is required by the assistant barrister?—Yes.

2102. Still you think that a country gentleman would be equal to the duty?—Yes; for the cases generally arise out of dealings between the country people, on which country gentlemen can decide as well as a lawyer. Mr. *E. P. Macdonnell* 31 May 1838.

2103. *Chairman.*] Do you think that the emoluments of such courts as that of Mr. Seymour, and the Castlebar court and Westport, are sufficient to induce respectable persons to undertake the office?—I should think not.

2104. Do you think Mr. Seymour is accurate in stating that his seneschalship is worth only 100*l.* a year?—I should think it is not worth more than that.

2105. Have you considered any suggestions that might be made for improving those courts with which you are acquainted?—I should think that it would be a very good principle to have a jury of odd numbers, and take the verdict of the majority; for in the event of one dissenting, the whole thing has to be gone over again at a great expense to the poor people; I would make it a regular court of arbitration.

2106. If the number of the jury were diminished would that be beneficial?—I think if the number were diminished it would be easier to get a better class of persons.

2107. Do the assistant barristers at the quarter sessions ever summon what is called an arbitration jury of three persons?—Very often; they often allow each party to name one, and then name a third themselves.

2108. Have you found that attended with a good effect?—The barrister always acts upon the award or verdict of those persons. The judge of assize has done so. I am on the special panel of the county, and I have been often called as a juror on appeals; the judge often calls for the record panel and gets a jury empanneled.

2109. A full jury?—Yes.

2110. Is there any other suggestion you would wish to make?—No; I am not aware of any other.

Sabbati, 2° die Junii, 1838.

MEMBERS PRESENT.

Mr. Bridgeman.	Captain Meynell.
Mr. Jephson.	Mr. M. J. O'Connell.
Mr. Litton.	

MORGAN JOHN O'CONNELL, Esq. IN THE CHAIR.

Mr. *James Barry,* called in; and further Examined.

2111. Mr. *Litton.*] WHAT length of summons do you give?—Three clear days' service before the holding of each court, and the summons is dated seven days. Mr. *James Barry.* 2 June 1838.

2112. There must be a service of three clear days?—Yes.

2113. Must it be a personal service?—No, at the house, on any person above the age of 16 years.

2114. The same as in the assistant barrister's court?—Yes.

2115. What is the description of place at which those courts are held?—Always at the petty-session houses in each manor, with the exception of the manor of Rahill, which has no petty sessions house.

2116. Where is it held in Rahill?—At the house of a tenant of Lord Glengall's, a respectable farmer; it is a large house.

2117. Where is the court held?—In a room in that house; he accommodates the seneschal, by the directions of the Earl of Glengall, with that room.

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2118. Is there a room for the jury to retire to?—There are two rooms for them to retire to.

2119. Are they in the habit of retiring?—No, the cases in general are not of that nature to require it. In case of any dispute the court would be cleared, and they would make up their decision. They have, in some instances, had the court cleared to let them make up their decision.

2120. Sometimes they do retire to that other room, and sometimes the court is cleared, and they are left alone?—Generally the court is cleared, and they are left to themselves.

2121. Does the seneschal go out in that case?—He generally remains, but he never interferes with them; he takes their verdict. If they go into the room the seneschal never accompanies them into the room.

2122. Does the seneschal retire when they remain in the room?—He has done so, but he does not generally.

2123. With respect to the practitioners; who are the practitioners in that court in general?—They are generally attornies.

2124. Regular attornies?—Yes, the attornies who practice generally at the quarter sessions, who take out their licence.

2125. Do you know any instance of others than attornies practising?—Yes, on some occasions a barrister has come to conduct a case; that has not been very often.

2126. Are there any practitioners beneath the rank of attornies?—Never. I would never allow that, nor in fact has it ever been attempted.

2127. What is an attorney allowed for soliciting a defence or decree?—That rests entirely with the persons who employ him; there is no regular fee allowed to be taxed by the seneschal for the attendance of the attorney.

2128. Has the seneschal no power of taxing the costs?—No.

2129. There is no scale of costs in the court?—None for the attendance of professional persons, only what the seneschal himself is entitled to.

2130. The defeated litigant has no costs to pay for professional persons?—He has nothing to pay but the 4 *s.* 6 *d.*, that is the entire costs of the court.

2131. If a plaintiff is defeated, what has he to pay?—If a plaintiff is defeated the cost of the dismiss is 5 *s.* 11 *d.* Irish; I generally put it down at 5 *s.* now.

2132. Is the 4 *s.* 6 *d.* which the defendant has to pay English or Irish?—English.

2133. *Chairman.*] You have the power of charging the sum of 5 *s.* 6 *d.* for each, have you not?—Yes.

2134. Can you explain the reason why you have put a larger sum upon the dismiss than upon the decree?—The costs of the decree were formerly 7 *s.* 6 *d.*, making up the entire costs. When the stamp duty was in being it was very heavy; from the number of cases tried before me, which were so very small, I thought it better to reduce the entire costs, making it but 4 *s.* 6 *d.*

2135. Why did you not reduce the costs on the dismiss to the same amount?—I reduced them to 5 *s.* 11 *d.*, or 5 *s.* 6 *d.* English.

2136. Do you mean to say that formerly you allowed 7 *s.* 6 *d.* to be taxed against the defendant in case of a decree?—Yes, that included the stamp duty.

2137. How long has that stamp duty been repealed?—Some years now.

2138. When was that imposed?—I am not prepared to say.

2139. You are certain that you fixed the sum at 7 *s.* 6 *d.* against the defendant in case of a decree?—Yes, including the stamp duty. I think the stamp duty was 1 *s.* on each summons, and 2 *s.* on the decree, that made it up to 7 *s.* 6 *d.*

2140. The charge for the summons, however, would appear to exist as much in the case of the dismiss as the decree?—Yes.

2141. That would make a difference of 2 *s.* between the costs of a decree and a dismiss?—Yes.

2142. How came it that you reduced the costs of the decree so largely in amount, namely, from 7 *s.* 6 *d.* to 4 *s.* 6 *d.*, or nearly one-half, whereas you reduced the costs of a dismiss only from 5 *s.* 6 *d.* to 5 *s.*, or one-eleventh?—There was no process in case of a dismiss.

2143. Now that the stamp duty has ceased to exist, you are entitled by the Act to charge the same costs for a decree or a dismiss?—I am.

2144. You charge, in point of fact, a greater sum for a dismiss than for a decree?—

decree?—Yes, 6*d.* more. I am entitled to more than 4*s.* 6*d.* expenses upon a decree, but I do not charge it.

2145. Why do you not show the same indulgence to a a party in the case of a dismiss which you do in the case of a decree?—It was optional with myself. I did not wish to impose upon the parties who got decrees. The persons who obtain the decrees are generally very poor people; they spoke to me themselves, begging me to do so.

2146. Have they never done so in case of a dismiss?—Never.

2147. Those who are dismissed and lose their claim do not make so much objection as those who gain their claim?—They never have made any objection.

2148. Are there many dismisses in your court?—Not many.

2149. What is the proportion to the decrees?—Perhaps one out of ten.

2150. Mr. *Litton.*] What are your fees in those cases?—The full amount is 4*s.* 6*d.*; that includes the service and the summoning the jury.

2151. Do you get all that?—I am obliged to pay out of it for the summoning the jury and the service of the process.

2152. The attornies get no costs at all?—I have no schedule pointing out any fee due to them.

2153. Have you any salary at all?—No.

2154. Out of your fees you pay what you have mentioned?—Yes.

2155. *Chairman.*] You pay for the summoning of the jury?—Yes, I give the person who serves the summons something from myself.

2156. Part of your costs is for the summoning of the jury?—It is.

2157. But there is no item for the service of process directly recoverable under the Manor Court Act?—No, but the man gets it; 6*d.* for the serving each process.

2158. The man who serves the process has no right to recover anything for it from the party?—No, and I do not charge it.

2159. You always summon your juries?—Yes, and they attend regularly; I summon them in respect of every case for each manor, generally giving them 48 hours' notice.

2160. Mr. *Litton.*] How much do you pay for serving each process?—I pay 6*d.* for every process, both in town and country; there are regular persons appointed in each manor, the same as the assistant barrister has for the service, and that man is made accountable to me in case of any neglect; Cahir manor is much more extensive than the rest, and there are four appointed for service of processes for Cahir, and two for Castlebrace, a man and his son; I appointed the father, and he has given security for good conduct, and one for Rehill besides.

2161. *Chairman.*] Are those men bailiffs for the execution of decrees, as well as being process servers?—Yes, they are.

2162. Do you allow them a salary besides their fees?—No regular salary; I give them, according as I think they conduct themselves, a gratuity, but no regular salary.

2163. They have a poundage on all sums sold under your decree?—They have.

2164. Mr. *Litton.*] By whom are your decrees executed?—By the bailiffs, and under the hand and seal and warrant of the seneschal; and no person is allowed to execute his decrees but the bailiffs of each manor.

2165. Does the security extend to the due execution of the decrees?—It does; I have security for the one as well as for the other: I have not got security for one of the manors, but the bailiff is a very respectable man; the clergyman of the parish, the Rev. Mr. Calmer, wrote to me as a friend of his, and therefore I do not require security; he has conducted himself remarkably well since his appointment, no complaint has been made against him.

2166. How many years has he been appointed?—I dare say it is five or six years.

2167. Does the bailiff go against both goods and person?—No; against the goods, not against the person.

2168. You do not consider that you have jurisdiction to take the person?—No.

2169. *Chairman.*] Do you allow no other persons to serve your processes except your bailiffs?—I make it a rule not, but in case of a great hurry they generally run the business till the last day; then they come and ask the bailiff;

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I never allow any person to serve, but by permission of the seneschal; then, under those circumstances, I allow a third person, but not the parties.

2170. That is a matter in which the law leaves you a discretion if you think fit?—It gives him the power as seneschal of the manor.

2171. Does the law allow any person to execute your decrees except your bailiff?—The plaintiff may execute it, both at quarter sessions and in the manor courts, but it is at his peril.

2172. Do you ever allow the plaintiff, or a special bailiff appointed by him, to execute the warrant?—No; I always have the decree regularly drawn and put in the name of the bailiff before I sign it, in case of any unpleasant circumstances occurring; I have the person under security, and can look to him.

2173. Do you ever allow a special bailiff, other than the regular officer of the court appointed, to execute decrees?—Yes, if a plaintiff makes a special application to me, I should do it; the manor extends very far; perhaps they may have a bailiff living at New Inn, which is four miles; the bailiff might like a person nearer than Cahir to watch the defendant's goods; then I should put in a special bailiff for him.

2174. Does the manor of Cahir extend equally in every direction from the town?—It does not.

2175. In which direction does it extend farthest?—Towards Clonmel.

2176. On which side is Clonmel?—It is east of Cahir.

2177. Which way is Castlegrace?—South-west, towards Clogheen.

2178. Does that include the mountains towards Tipperary?—No; it is a trifling distance from the town, not more than a mile; then it goes out to New Inn, towards Cashel; then it takes in an immense district of country.

2179. The town is not at all central?—It is not; but there is no more convenient place of holding the courts; no court-house could be more convenient, unless I were to travel about. The people at Clonmel generally go to the quarter sessions there.

2180. The whole part of this manor is not the estate of Lord Glengall?—No.

2181. Does he retain any head-rent over a large portion of it?—He does. It is all in the possession of Lord Glengall, with the exception of a very trifling part.

2182. Is there any part of it leased for ever on fee-farm grants?—No, there is not.

2183. Mr. *Litton.*] Are not a great majority of the cases under 40*s.*?—A vast majority are under 40*s.*, varying from 10*s.* upwards.

2184. You say that the seneschal, in cases under 40*s.*, has the power of examining the plaintiff?—Yes; the 7th & 8th of Geo. 4, cap. 55, and sec. 2, gives that power to the seneschal.

2185. Has the assistant barrister of the county any such power?—No.

2186. Can he give a decree, no matter how trifling the case may be, to any person going to the quarter sessions, if he has not a witness?—No.

2187. With respect to the three manors of which you have spoken, would the distance from the inhabitants of those courts render the quarter sessions requisite as a substitute for the manor court?—Not at all.

2188. How far is the remotest inhabitant within the jurisdiction of the manor from any of those manor courts?—The remotest inhabitant from the manor court of Cahir is the workhouse at Clonmel; that is eight miles; but the remotest who come to the court come from three miles to four miles.

2189. The remotest of those that could by possibility come is eight miles?—Yes; but they never come from Clonmel.

2190. *Chairman.*] Does your jurisdiction in that part of your manor clash at all with the borough court of the town of Clonmel?—They never come to the court.

2191. Are the limits well defined between the jurisdiction of the corporation of Clonmel and the jurisdiction of the manor court?—They never clash. A branch of it runs to the workhouse at Clonmel; a very trifling portion of it is so situate.

2192. If they were to come to the manor court, is there a doubt as to the bounds of your jurisdiction?—None at all.

2193. Do the corporation of Clonmel exercise jurisdiction over the same place?—It is a very small portion; it is quite independent of the corporation of

of Clonmel; it has never occurred in any single case that they have clashed in any of the courts.

2194. Mr. *Litton.*] With respect to those three manors, you say, a vast majority of inhabitants who bring those suits live within four miles?—Yes, some within a mile and some within the town; but they are all within a circle of four miles, most of them considerably less.

2195. Are the great majority of them within a circle of three miles?—Yes.

2196. What is the nearest point of the quarter sessions?—The nearest is at Clonmel.

2197. How far is that from Cahir?—Nine miles. There is a quarter sessions held at Clogheen; that is only once a year.

2198. That has been since the Act?—Yes.

2199. There is another at Carrick?—Yes; that is 20 miles.

2200. What distance is Cashel?—Nine miles; Tipperary 13.

2201. Those are Irish miles?—Yes, they are. The division of Carrick-on-Suir, each of the manor courts is held in the district, for the people have to go to Carrick-on-Suir on the 19th of June, which is the sessions. They are all from that part of the country, Carrick-on-Suir, Clonmel, and Tipperary. They can go only once a year to Carrick; and they will have to bring every case, no matter how trifling it may be, and a witness with them. That will be 20 miles, Irish, going, and the same returning.

2202. New quarter sessions have been given to different counties, and those in the southern division of the county of Tipperary have been altered?—No.

2203. Formerly you had two sessions at Clonmel and two at Cashel?—Yes.

2204. Since that, the three new sessions towns of Carrick, Killmaule, and Tipperary have been added; how are the sessions held in those towns?—Once a year in each of those places.

2205. Are they still held as they were before at Clonmel and Cashel?—No, they are not held so often.

2206. Take the January sessions; where are they held?—They have divided that division of the county into the northern and southern division.

2207. The question refers to the southern division, in which the sessions towns were Cashel and Clonmel; are the sessions held as they were before the division?—I cannot say precisely, but I think not; I am almost certain not.

2208. Is there any one of the four sessions which is held in your division, except at Carrick-on-Suir?—There is the Clonmel, that is held there; they go from Carrick-on-Suir to Cashel.

2209. The inhabitants of that part of the country are not bound to go the long distance to Carrick-on-Suir?—They must.

2210. Why must they?—It is so settled.

2211. When you had a sessions town within eight or nine miles of the town of Cahir, you were cut off from the division to which that session town belongs, and were sent to a place 20 miles off?—Yes, or to wait till the next sessions at Clonmel; if you did not go to the Clogheen, which is gone by, you must wait for Clonmel.

2212. The old southern division of the county is cut into two?—Yes; the one takes Carrick, Clonmel, and Cahir; the other Tipperary, Cashel, Thurles, and Killmaule.

2213. Are there other parts of the county of Tipperary, to the westward of Cahir, at which that inconvenience is as strong, if not stronger?—Yes, equally as much.

2214. Do persons generally wait for three months, till the sessions comes round, or do they ever go to Carrick?—A great number of them go to Carrick.

2215. It is in the power of the plaintiff to take his process to whichever town he pleases?—Yes, according to the division.

2216. A vexatious plaintiff may take a person to the court at Carrick instead of waiting till the sessions are held at the nearest place, or he may even pass over the time when the court is held at the nearer place, and take him to a greater distance?—It is quite in his discretion where he will go, and in many instances vexatious plaintiffs have done so. The additional towns for the quarter sessions are merely held for the purpose of recovery of debts, and the hearing of ejectments; the criminal business of the quarter sessions is left as it was, to be done at Clonmel and Cashel.

2217. So that what may be called the extreme southern division of Tipperary

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is cut off from the middle southern, for civil purposes; the Clonmel quarter sessions are always adjourned to Cashel from those places?—Yes.

2218. When the sessions are held, either at Carrick or Killmaule, for civil business, the criminal business of the old division of the county is adjourned from either of those towns to Cashel?—Yes; the informations from the magistrates of the county are returned by order of the assistant barrister to the old towns, either Clonmel or Cashel; I think there is some part of the barony attached to Cashel quarter sessions, and the remainder attached to Carrick-on-Suir and Clonmel.

2219. On the whole, though there is inconvenience in regard to the particular sessions of Carrick-on-Suir, as it is arranged to have one sessions so near as Killmaule and two as near as Clonmel, is it not better that you should have that inconvenience once a year, than be left to an undivided district?—Yes; it is an arrangement which has given satisfaction to all parties generally.

2220. Mr. *Litton.*] The costs on a decree at quarter sessions are 7 *s.* 6 *d.*, are they not?—They are.

2221. That includes witnesses and everything?—Yes.

2222. For the recovery of a debt of 40 *s.* or under, 7 *s.* 6 *d.* is all they could get?—Yes; and they are at the expense of bringing witnesses to Carrick; no matter whether the person is vexatious or not, a person must bring a witness for the recovery of 20 *s.* or 30 *s.*, 20 miles, going and returning, and keeping him all the day, which makes a great majority of the people of the manor remain at the manor, and do their business at home.

2223. How often are your courts held in each manor?—I generally hold them once a month or five weeks, except in the very busy season; the patent gives the power of holding them every three weeks.

2224. Are the periods of holding the sessions arbitrary, or having named days annually in different years, do you hold them periodically on those days?—Generally, immediately after the holding of each court, we regulate the time of the next court to be held, on which there are notices posted through the manor, apprising the people of the day on which the court will be held.

2225. Do you attend the quarter sessions professionally?—No; unless there are ejectments that I have anything to do with.

2226. Are you Lord Glengall's law-agent?—I am.

2227. Do you attend the quarter sessions occasionally for his Lordship?—My brother does the business there, unless there is any particular case.

2228. Do you happen to know whether the greater number of cases at quarter sessions are under 40 *s.*?—Yes, they are; ever since the 20 *l.* jurisdiction many of them are for 15 *s.* and 20 *s.*, and so up to 30 *s.* and 35 *s.*; but I am pretty positive that the greater number of cases are under 40 *s.*

2229. *Chairman.*] Do you practise as a solicitor generally in the district in which you hold your courts?—I do.

2230. Not in the barrister courts?—No.

2231. Are the class of persons who practise in the assistant barristers' courts in your county, generally respectable?—They are.

2232. You have been some time in the profession?—I have.

2233. Have you found that the better regulation of the assistant barristers' courts within the last 10 or 12 years has tended to increase the respectability of the practitioners in it?—Most decidedly.

2234. Do you remember the period when it was, in many instances, a very disorderly and ill-conducted court?—I have known it to be so, but not in my county.

2235. Do you remember the time when regular process servers were not employed?—Yes.

2236. A great deal of abuse prevailed in that court?—Yes.

2237. A great deal of what is mildly termed hard swearing?—Yes; I did practise at the quarter sessions myself till I got into other business.

2238. Do you conceive that the extending the jurisdiction of the court by the Act passed two years ago, has yet produced no additional effect upon the respectability of the court?—None.

2239. Are there any other manor courts in that county with which you are acquainted?—Yes, one at Clogheen.

2240. Is it that which is called in the return the manor of Everard's Castle?—Yes.

2241. Who is the lord of that manor?—Lord Lismore.

2242. The seneschal of that court returns himself as not being in the legal profession?—He is not.

2243. Is he agent or under-agent to Lord Lismore?—Neither; the agent was the seneschal formerly, but in consequence of having a vast deal of business to attend to, he was obliged to give it up, and the present seneschal, Mr. O'Brien, was appointed. Mr. Taylor, who is the agent of Lord Lismore, was agent for some years.

2244. That is a court of which the pecuniary jurisdiction is as extensive as yours?—Yes; but not so extensive in point of district.

2245. It does not appear from the return to be a court in which so much business is done as in yours?—It is not.

2246. Are you aware whether the institution of quarter sessions in Killmaule has diminished the business more since the return was made?—Indeed I do not think it has; I mentioned before that the quarter sessions is held only once a year there, that court the barrister could not hold oftener; from the number of places he has to go to he is constantly on the move.

2247. With regard to the appeals from your decrees, it appears that in the course of three years 15 were lodged, of which eight were tried and three reversed?—I believe those are the numbers.

2248. It would appear from that, that the practice of appealing for vexatious purposes is not so great in your district as in some others?—They scarcely ever appeal.

2249. When they do appeal, it would appear that it is for *bonâ fide* purposes, from so many coming to trial?—Yes.

2250. Do you recollect the particulars of the three decrees which were reversed?—I do not; I recollect the cause of the reversal of one; it was some time ago.

2251. You require them to give surety on lodging an appeal, according to the Act of Parliament?—I do.

2252. Are you particular that that surety shall be solvent?—Indeed I am very particular; I invariably make them qualify.

2253. By swearing themselves worth the amount?—Yes, and the penalty in every case I possibly can I take in security; I know every person in the manor as to his solvency, having lived so long among them.

2254. Do you find any difficulty in keeping good order in your court?—None.

2255. Have you your bailiff always in attendance?—Always; and the police came and attended also; but there is an order issued by the inspector general that they are not to attend manor courts. Where I held the manor courts latterly was in what is called the police barracks; the under part was for a court-house, and the upper part for the police; but I believe, either by the Act of Parliament or some private regulation of the inspector general, that is deemed irregular, and within the last three months that has been removed, and the petty sessions have been separated from the police barracks.

2256. Have you ever found any resistance in the execution of your decrees?—There has been, in some cases, where persons would allege they had a previous seizure, either for rent (it is what they call a "cover" in the country), then the moment the bailiffs were obstructed they would be summoned, but they would never follow that up when they saw a determination; there has been a case where the rescue was followed up to punish the men, where they struck the bailiff; I had the informations returned to the quarter sessions, and had them punished for it; there is a little jealousy on the part of the assistant barrister whenever the manor courts come into question; they would in every case put them down as much as possible if they had the power; however, the assistant barrister of our county is quite satisfied; it is a very large county; but I never knew a case where a case from a manor court came before an assistant barrister that he did not set his face as much against it as possible; and in general the professional men, practising at quarter sessions, are very much averse to the manor courts, for they think that they interfere with them. An occurrence happened at Roscrea, where the senechal's decree was put in force: a desperate affray ensued, for which there were bills found at the quarter sessions, when the barrister called the seneschal's patent, which he had no authority whatever for doing, and the seneschal not producing it, he told the jury to acquit the prisoners,

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soners, that the prisoners were quite justified in committing the rescue. The barrister has no power whatever over manor courts, nor has he any power of calling for the patent, inasmuch as there is no appeal from the manor court to the quarter sessions; the only person entitled to call for the patent is the judge of assize before whom the appeal is tried; but in that instance the barrister called upon the seneschal, and he not producing it, he told the jury to acquit the prisoner, which they did; that I had from the seneschal himself.

2257. You conceive, in general, the leaning of the assistant barristers to be against the seneschals?—Always.

2258. Have you ever heard of a proposition of giving an appeal from the seneschal's decree to the assistant barrister?—I never have; there is not a doubt that the decree would be reversed in every instance; the case would not hold one second, I am sure, right or wrong, without going into the case; if that were done, it would be a very great injury to the country as long as such courts are held; that must remain as it is to the judge of assize.

2259. Is there any further restriction on appeals in your manor, except in the requiring a solvent surety?—In the appellant binding himself in the amount of double costs, and two sureties in the amount of the debt; each in fact is doubled.

2260. The fee to the seneschal on appeal is 1 *s.*, is it not?—Yes; they gene rally give something for filling up the appeal to the registrar or clerk; it is optional with them whether to give that or not.

2261. There is no other sum charged on the lodging the appeal, except that fee to the registrar?—No; they used in some instances to order the costs of the decree to be lodged, but that has been done away with; it was found troublesome, and there was no object in it.

2262. Was it found to be illegal?—It was always returned; if the party did not prosecute the decree the plaintiff got the costs of the decree.

2263. Are there not some manor courts very remote from the assize towns?—I do not know any except Roscrea.

2264. There is no other in your county?—No.

2265. Was it not sometimes found to be a hardship for a party at Roscrea to have to go for his just debt, in case of an appeal, all the way to the assizes in Clonmel?—It was equally a hardship as to the quarter sessions; they were in Nenagh, further from Clonmel.

2266. The facility of appeal is not so great in the assistant barrister's court as in the manor court?—I think it is.

2267. You do not consider the affidavit of the attorney as likely to be a check on vexatious appeals?—No.

2268. It has been suggested that vexatious appeals would be checked by requiring the attorney, or some third person, to make an affidavit that the plaintiff had just cause of appeal?—I think that is quite immaterial.

2269. You have not found a tendency to vexatious appeals in your manor?—No; the best criterion I can give of that is by the very small number of appeals during the number of years I have been seneschal; lately there have been hardly any at all. There is a circumstance I wish to mention. By a section of the 7 & 8 Geo. 4, there is a power to the seneschal and the jury to take security for any small debts, to be paid by the week. I have had no occasion in the world to take that security, for in every case in which I have recommended a party to give the time, they have invariably done so; but there is a power given, by the 7 & 8 Geo. 4, to the seneschal and the jury, to give time for the payment, with a security, by weekly instalments.

2270. What should you conceive to be the average emoluments of your office?—There are a great number of summonses issued and served, but never proceeded upon, for the people will do anything in the world to prevent having their names brought into the manor court; they have a credit, and like to keep up that credit; but I suppose it is considerably less now than it was when the tithe cases were generally tried at the manor courts; it varies a good deal; perhaps 200*l.* a year, or a little more.

2271. On entering the case for trial, if it be not actually tried, what fee is charged?—A shilling only; if the case is settled there is only a shilling.

2272. That is, a shilling additional to the shilling for the summons?—Yes.

2273. And in case of a decree there is 2*s.* 6*d.* further?—Yes, the costs are altogether 4*s.* 6*d.* at the manor courts, and 7*s.* 6*d.* at the quarter sessions.

2274. That

2274. That 4*s.* 6*d.* is subject to deductions?—Yes, I have to pay the bailiffs for making the summonses.

2275. If the summons is merely served and the case not brought to trial, how much is the bailiff paid in that case?—Invariably 6 *d.*

2276. Your clear profit on that is only 6 *d.* in the event of the case not being brought to trial?—Yes; the shopkeepers in the town are the people who apply to the court or the bailiff on the spot to serve the summonses, and consequently the expense is so very trifling, they arrange the thing before going to trial. that is the reason of a great number of summonses being given out to the people, they conceive that it brings the money in; if the process is for 30 *s.* and they get 15 *s.*, they will give the people time for the remainder; it is a cheap mode of getting in their debts, it frightens the people into a settlement.

2277. You consider that in the town of Cahir the jurisdiction of the manor court could not be abolished without considerable injury to the shopkeepers and traders?—A very considerable injury; it may be natural that I should say so as seneschal, but I am sure that the shopkeepers would give the same evidence.

2278. Was your predecessor in office an attorney?—He was not.

2279. Was he a legal person?—He understood the law very well.

2280. Was he a magistrate?—He was not; he was not long in; but the person before him was a solicitor who had retired, and then had the commission of the peace, Mr. Burke.

2281. The court appears to have been for a considerable time kept in respectable hands?—Yes, for many years.

2282. Where the lords of the manor has taken care to ensure that, have you not found that the people respect the court, and are pleased with the advantages which its cheap jurisdiction affords them?—Yes, and they pay the greatest respect not alone to the court but even to the seneschal. In one or two instances after my appointment, I was obliged to commit persons for abusive language, not to the seneschal, but between parties in court; they gave to one another the lie, and I committed them for 48 hours for contempt of court, and that was the only instance of my committing any one.

2283. Your court is constituted a court of record by the charter?—Yes.

2284. And you consider that the power of committing for contempt is incident to that court?—Yes, and I would not sit in that court unless I had the power of keeping order.

2285. Are you acquainted with any cases of courts in which unfortunately the lords of manors have not attended to their duty in providing respectable officers to preside over the courts, and ensuring the power and respectability of the court?—I am not. I know the manor of Mitchelstown, which is a very respectable one; it has been held by a magistrate, the brother of the land agent of Lord Kingston, Mr. Montgomery, a very respectable gentleman, and Mr. Smith, of Roscrea, is equally so.

2286. As you have not been aware yourself of the existence of any courts in which abuses in that respect had existed, you have never turned your attention probably to the correction of such abuses?—No, I have not.

2287. You have never considered any qualification to be required of the seneschals which should provide a remedy for those evils?—No.

2288. The lords of the manors are, as far as the seneschal is concerned, perfectly irresponsible?—Perfectly so.

2289. The practitioners' powers in the court have been very much increased by the Acts of Parliament which have been passed at different times?—Very much.

2290. Do you not think it advisable that where their powers have been increased the responsibility should also be increased?—Decidedly.

2291. Should you object to an obligation being imposed on the lords of manors in respect of the fitness of the individual, or a requirement that their appointment should be made subject to the approval of Government, or any central authority?—At the time the 7 & 8 Geo. 4 was passed, the seneschals were required to give security before the assistant barrister; that has been done.

2292. You state that the costs of a decree at the quarter sessions are greater by 3 *s.* than the costs of a decree in your courts?—Yes, in addition to the expense of bringing witnesses.

Mr. *James Barry.*

2 June 1838.

2293. Does that sum of 7 *s.* 6 *d.* include the attorney's fee?—It does.

2294. The attorney's fee is not included in your manor court costs?—It is not.

2295. What fee is generally paid to the attorney who practises in the manor court?—It is various; some give them 5 *s.*, some less, according to the solvency of the party.

2296. The Act of Geo. 3 allows a fee of 2 *s.* to the attorney attending, does it not?—I am not certain.

2297. It does not allow any fee to be recovered against the other party?—No.

2298. Which the Quarter Sessions Act does allow?—Yes.

APPENDIX.

LIST OF APPENDIX.

No. 1.—A Return of the Manor Courts now existing in Ireland - - - - - - p. 127

No. 2.—A Return of the Number of Decrees and Dismisses signed by the Seneschals or Stewards of the several Manor Courts in Ireland - - - - - - - - - - p. 139

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Appendix, No. 1.

Appendix, No. 1

A RETURN of the Number of MANOR COURTS now existing in the several Counties in *Ireland*, specifying the Places over which the Jurisdiction of each Court extends, and the greatest Distance of any Place within the Jurisdiction from the ordinary Place or Places of holding such Court; also a Return of the Dates of Patents or Charters granted to such Courts; also a Return pointing out the Extent of the Pecuniary Jurisdiction, how it is enforced, and what Description of Cases are Tried; also a Return pointing out the Extent of their Power with regard to Imprisonment, the Number of Persons Imprisoned under their Decree, also to state whether the Prison be one of Peculiar Jurisdiction; also a Return, stating whether Power of Distress exists, and how it is Levied; also a Return of the Number of Courts held in each Year, beginning from the 31st day of December 1833, the Number of Courts Adjourned for Non-attendance of Jurors or other Cause, the Number of Cases entered for Trial, the Number of Cases Tried, the Number of Appeals from Decrees, stating how many were Tried, and how many Decrees were Reversed; also a Return of Fees Charged, the Sums Recovered, and the Amount of Costs during the same Period; a Return of such Courts the Seneschal or Stewards of which are Members of any and what Legal Profession, or Justices of the Peace.

COUNTY OF ARMAGH.

ARMAGH.

MANOR OF CLANTILUO.

Manor of Clantiluo.

THE jurisdiction of this court extends over the said manor, excepting two townlands, which the Earl of Charlemont has incorporated with the manor of Moy; but whether he had a right to do so or not I never inquired, neither did the present lord of said manor.

The court holds in the townland of Breagh, and the greatest distance from the place of sitting to the utmost extent of the manor, is not, in my opinion, more than five English miles.

The charter under which said court is held was granted September 1st, in the 5th year of the reign of Charles I., being 1630 in the Christian era.

The pecuniary jurisdiction of said court is anything under two pounds sterling.

There are no decrees issued for the body out of said court, and of course no particular prison.

Power of distress does exist, and is levied by seizing the person's goods against whom issued, and selling same after regular notice, if not otherwise satisfied.

The number of courts held each year are twelve, which are held on the first Wednesday of each month.

The first court-baron that I held in said manor was on the 5th of November 1834, and therefore can only state from that time or date.

Since my appointment there were no courts adjourned in consequence of the non-attendance of jurors, as we can have a jury without any other summons than a mere verbal notice; that, in my opinion, might sit on life and death: the only adjournments were two, both caused by my absence.

Appendix, No. 1.

ARMAGH.

Manor of Clantiluo.

The number of cases tried are as follows:—

5 November 1834, there were three cases tried, the first for 16 *s.*; the second for 11 *s.* 4 *d.*; and the third for 10 *s.* In the first and second decrees were granted, and the third was dismissed.

3 December, there was three cases entered, one of which was tried, and a decree granted.

7 January 1835, there were four cases entered, three of which were tried. The first for 5 *s.*; the second for 17 *s.* 6 *d.*; and the third for 8 *s.* The fourth postponed for want of evidence; the others were decreed.

4 February 1835, the case that was postponed on the last court-day was tried on this; it was for the sum of 4 *s.*, and dismissed.

1 April, there were four cases entered, the first for 1 *l.*; the second for 5 *s.*; the third for 1 *l.* 16 *s.* 10 *d.*; the fourth for 16 *s.* 11 *d.*; all decreed.

6 May, there were five cases entered, and four tried; the first for 1 *l.* 16 *s.* 10 *d.*; the second for 3 *s.*; the third for 1 *s.* 9 *d.*; the fourth for 8 *s.* 6½ *d*; all decreed.

1 July, there was one case entered and tried; it was brought for 5 *s.* 2 *d.*, and was dismissed.

5 August, there were two cases entered and tried; the first for 13 *s.* 2 *d.*; the second for 3 *s.* 3 *d.*; decrees obtained in both cases.

7 October, there were five cases entered and tried; the first for the sum of 1 *l.* 16 *s.* 11 *d.*; the second for 7 *s.*; the third for 2 *l.*; the fourth for 1 *l.* 14 *s.* 4 *d.*; the fifth for 1 *l.* 7 *s.*; all decreed.

4 November, there were three cases entered and tried; the first for 1 *l.* 18 *s.*; the second for 3 *s.* 9 *d.*; the third for 1 *s.* 3 *d.*; all decreed.

3 December, there were two cases entered and tried; the first for the sum of 11 *s.*; the second for 6 *s.* 4½ *d.*; both decreed.

3 February 1836, there were four cases entered, three of which were tried; the first for the sum of 8 *s.* 4 *d.*; the second for 10 *s.* 6 *d.*; the third for 10 *s.* 6 *d.*; all decreed.

2 March, there were sixteen cases entered and tried; the first for the sum of 17 *s.* 6 *d.*; the second for 1 *l.* 16 *s.* 9 *d.*; the third for 1 *l.* 10 *s.*; the fourth for 1 *l.* 12 *s.*; the fifth for 1 *l.* 15 *s.*; the sixth for 10 *s.*; the seventh for 1 *l.* 16 *s.*; the eighth for 10 *s.*; the ninth for 7 *s.*; the tenth for 3 *s.* 6½ *d.*; the eleventh for 1 *l.* 15 *s.* 11 *d.*; the twelfth for 3 *s.* 6 *d.*; the thirteenth for 1 *l.* 16 *s.*; the fourteenth for 1 *l.* 4 *s.* 11 *d.*; the fifteenth for 1 *l.* 17 *s.* 6 *d.*; the sixteenth for 1 *l.* 15 *s.* 2 *d.*; on this day there were six decrees and ten dismisses.

6 May, there was but one case entered and tried; it was for the sum of 1 *l.* 16 *s.* 11 *d.*, and was dismissed.

6 July, there were two cases entered, but were agreed afterwards without coming to trial.

3 August, there were two cases entered and tried; the first for 1 *l.* 4 *s.* 10 *d.*; the second for 15 *s.* 4½ *d.*; decrees were obtained in both.

5 October, there were two cases entered, but were agreed afterwards without coming to trial.

7 December, there were two cases entered and tried; the first for the sum of 1 *l.* 10 *s.* 8½ *d*; the second for 19 *s.*; both decreed.

11 January 1837, there were two cases entered and one tried; it was for 1 *l.* 18 *s.*; and a decree was granted.

1 February, there were nine cases entered, and eight of them tried; the first for the sum of 1 *l.*; the second for 1 *l.* 2 *s.*; the third for 10 *s.* 7 *d.*; the fourth for 1 *l.* 3 *s.* 2 *d.*; the fifth for 1 *l.* 19 *s.* 2 *d.*; the sixth for 2 *l.*; the seventh for 13 *s.* 7 *d.*; the eighth for 1 *l.* 1 *s.*; all decreed.

This includes the whole transactions of the court since my appointment. On the 1st of March last there were no processes out, and on the 1st of April I was obliged to attend the quarter sessions at Armagh. With respect to appeals there were only three cases appealed since my appointment, none of which was proceeded on.

The persons that did appeal are prone to litigation, and, in my opinion, appealed to gain time, or to excuse their defence.

As to the fees charged, I beg leave to refer to the manor court Act, Geo. 3, c. 25, s. 7, which I never go beyond, but frequently return my fees to induce the parties to agree.

I cannot exactly state the amount of costs, as I frequently return my part of it, particularly if the sum sued for be very small, or the parties very poor; I frequently return the costs, but do not keep an account of such returns.

I do not properly understand what is meant by being members of any legal profession; whether persons professing in any of the law departments, or persons following professions authorized by, or which the law does not prohibit. But I hope that no person following any illegal profession would get the appointment of seneschal.

I follow the profession of a civil engineer, and am agent on part of the manor.

I cannot state the number of decrees that I signed, but according to the best of my opinion or knowledge they do not exceed ten, and one dismiss.

Cranagile. *James Whiteside.*

COUNTY OF CLARE.

Appendix, No. 1.

Clare.

Manors of Kilrush and Moyarta.

Manors of Kilrush and Moyarta.

Return of the Number of Manor Courts held in the Manors of Kilrush and Moyarta, specifying the Places over which the Jurisdiction of each Court extends, and the greatest Distance of any Place within such Jurisdiction from the ordinary Place or Places of holding such Court?

The number of manor courts held by me are, viz.—There are five manor courts held in each month, viz.—at Kilrush, Doonbeg, Dough, Donoughboy, and Teirneglehane; the jurisdiction of said courts extends over the above-mentioned townlands, with their sub-denominations. The greatest distance of any place within my jurisdiction from the ordinary places of holding such court is ten miles.

Return of the Date of Patent granted to the Manor Courts of Kilrush and Moyarta?

The patent granted for the manor courts of Kilrush and Moyarta is 18 James 1.

Return pointing out the extent of their pecuniary jurisdiction?

The extent of the pecuniary jurisdiction in my courts is 10 *l.* sterling, late Irish currency, if by note, but in all other actions the jurisdiction extends only to 5 *l.*

How is it enforced?—By distress and sale of goods and chattels.

What description of Cases are Tried?

The description of cases tried are of various descriptions, viz.—Promissory notes, goods sold and delivered, wages, and actions for work and labour.

Return pointing out the extent of their Power with regard to Imprisonment?

There is no power of imprisonment vested in the seneschal of the above manors.

The Number of Persons Imprisoned under their Decree?—None.

Return stating whether Power of Distress exists, and how it is levied?

A power of distress exists against the goods of the defendant; when a decree is issued it must be executed before the next court-day, and if not executed within that time, must be renewed at the next sitting of the court, on the bailiff of the court making affidavit that he searched for distress and failed in obtaining it.

Return of the Number of Courts held in each Year, beginning from 31 December 1833?

From 31 December 1833 to 31 December 1834; in all there has been 60.
From 31 December 1834 to 31 December 1835; in all there has been 56.
From 31 December 1835 to 31 December 1836; in all there has been 60.
From 31 December 1836 to 9 May 1837; in all there has been 25.

The Number of Courts adjourned for Non-attendance of Jurors, or other cause?

I never had an occasion to adjourn a court for non-attendance of jurors, and there has been but very few adjournments for other causes.

The Number of Cases entered for Trial from 31 December 1833?

From 31 December 1833 to 31 December 1834; in all there has been 960 cases entered for trial.
From 31 December 1834 to 31 December 1835; in all there has been 1,347 cases entered for trial.
From 31 December 1835 to 31 December 1836; in all there has been 1,275 cases entered for trial.
From 31 December 1836 to 9 May 1837; in all there has been 714 cases entered for trial.

The Number of Cases Tried from 31 December 1833?

From 31 December 1833 to 31 December 1834, the number of cases tried amount in all to 943.
From 31 December 1834 to 31 December 1835, the number of cases tried amount in all to 1,304.
From 31 December 1835 to 31 December 1836, the number of cases tried amount in all to 1,254.
From 31 December 1836 to 9 May 1837, the number of cases tried amount in all to 702.

Appendix, No. 1.

CLARE.

Manors of Kilrush and Moyarta.

The Number of Appeals from Decrees, stating how many were Tried, and how many Decrees were Reversed?

From 31 December 1833 to 31 December 1834, the number of appeals lodged were 11; out of which four were tried, none reversed.

From 31 December 1834 to 31 December 1835, the number of appeals lodged were 25, out of which 17 were tried, and two reversed.

From 31 December 1835 to 31 December 1836, the number of appeals lodged were 14, out of which two were tried, none reversed.

From 31 December 1836 to 9 May 1837, the number of appeals lodged were four, out of which one was tried, and confirmed.

Return of Fees Charged?

For each process	£.	–	1 –
For each entry		–	1 –
For each decree made out and signed		–	2 6
For each appeal and bond		–	1 1
For every renewal		–	2 6

Return of Sums recovered, and the Amount of Costs during the same period?

1834.—Sums recovered	£.	675	11 2
Costs		107	10 –
1835.—Sums recovered		1,160	– –
Costs		157	6 8
1836.—Sums recovered		1,300	– 10
Costs		164	– –
1837.—Sums recovered		640	17 6
Costs		72	14 6

CORK.

Manors of Aughadown and Crookhaven.

COUNTY OF CORK.

MANORS OF AUGHADOWN AND CROOKHAVEN.

1. THE manors of Aughadown and Crookhaven have jurisdiction over Skeagh, Glawn, Meenvane, Ardmanah, Cooredarigon, Ballyvoing East, Ballyvoing West, Corrinmoore, Dough, Lether, Crookhaven, East Calves Island, West Calves Island, Castle Island, Skull, Kilcrohane, Dooneen, Aughaleagh, Kilcoe, Aughadown, Kilkiellen, Ardough, Marsh North, Marsh South, Callatrum, Droumnocarough, Ardraly, Rousnegoose, Drisheen, Manlevounee, Inishbig, Lisheen, Bangore, Maunnin Island. The greatest distance of any of these from the manor court-house is 20 miles.

2. The date of the patent or charter can be furnished by the Ecclesiastical Commissioners for Ireland, or the Lord Bishop of Cork and Ross.

3. This court is not limited as to its pecuniary jurisdiction, except as other courts in like circumstances; its decrees are enforced by its own bailiff by distress and sale of defendants' goods; it tries all manner of actions of debt, trespass, trover, detinue, assumpsit, &c.

4. This court has no prison, and grants no decree against the person.

5. This court distrains and sells defendants' goods by its own bailiff, on its own decree.

6. Twenty-six courts were held in 1834.
Twenty-four courts - ditto - 1835.
Fourteen ditto to the 18th of July 1836. Seneschal Sick.
Nine ditto from the 4th of September 1837 to the 1st of January 1838.
No court adjourned for non-attendance of jurors or other causes; 398 cases entered for trial.
218 cases tried. One appeal from a decree, and that one reversed without prejudice.

7. Fees charged during the same period - £. 110 – –
Sums recovered during the same period - 430 – –
Costs thereon - 110 – –

8. The seneschal of these manors is neither a member of any legal profession, nor a justice of the peace.

Skull, 21 January 1838. *Thomas English*, Seneschal.

COUNTY OF CORK.

Manor of Mitchelstown.

1. Names of Townlands and Places over which the Jurisdiction of the Court extends?	2. The greatest Distance of each Place within such Jurisdiction from Mitchelstown, where the Manor Court is held?	
Manor of Mitchelstown, County of Cork.	Late Irish Measurement.	
	Miles.	*Quarters.*
Mitchelstown.		
Loughagown	–	2
Clounlough	–	2
Stag Park	–	2
Deer Park	–	2
Ballykerney	1	–
Carriganeleigh	1	2
Flemingstown	2	2
Ballylough	4	–
Glanahulla	4	–
Glounaglough	4	–
Cloughlifin	3	–
Bawnanemirish	7	–
Scart	5	–
Kildorrary	6	–
Old Castletown	5	–
Glasvanta	7	–
Springvale	8	–
Quit-rent Mountain	9	–
Gurtnacurrig	8	–
Ballynoultig	7	2
Grange	7	–
Cullinagh	6	–
Ballysuredane	6	–
Bawnlahon	5	2
Kilcloony	7	–
Knockanevin	6	–
Marshulstown	5	–
Curraghgonum	4	–
Sraherlagh	5	2
Toorugh	5	–
Labbamaloga	6	–
Derrylahon	5	–
Gurtroe	4	–
Kileroe	3	–
Bouledorough	3	–
Kuleaclug	2	2
Gurteenatarve	3	–
Gurteenashina	2	2
Baulikilly	2	2
Ballyarthur	1	2
Clyroe	2	–
Mitchelstown Demesne.		
Brigown, Mitchelstown, built on the townland.		
Ballinamona	1	–
Glenacluikey	1	–
Killicane	1	2
Drowngough	1	2
Polardstown	2	–
Skeheen	3	–
Ballinamurack	3	–
Kilcudnagh	3	2
Curraghmoe	4	–
Glanduff	5	–
Curraghmore	5	–
Ballygibbin	4	–

1. Names of Townlands and Places over which the Jurisdiction of the Court extends?	2. The greatest Distance of each Place within such Jurisdiction from Mitchelstown, where the Manor Court is held?	
Manor of Mitchelstown, County of Cork—*cont.d.*	Late Irish Measurement.	
	Miles.	*Quarters.*
Parknakilla	3	2
Ardglare	3	–
Knocknamuck	2	2
Kildrum	2	–
Kilshanna	1	–
Curraghcunna	1	2
Gurteenabowl	3	2
Funow	4	–
Carrigane	3	–
Cooliregane	2	–
Garryleigh	1	2
Coolenane	1	–
Ballinvillin	–	2
Gurrane	–	2
County of Limerick:		
Brackbawn	5	–
Knockamane	4	2
Ballmatona	4	–
Loughananna	4	–
Moneaderry	5	–
Carrigeen	5	2
Moneabruck	8	–
Belhinagh	3	2
Coolattin	4	2
Boher	4	–
Shrove	4	2
Knockroure	4	–
Clyattin	3	2
Coolevuce	4	–
Kilbenny	3	2
Garryvorough	3	–
Carhue	3	–
Lyroe	5	–
Gerah	2	2
Glenacurrane	2	2
Kilglass	2	–
Thornhillawn	1	2
Coolnamahogue	2	–
Lisnalaniff	3	–
Ballybrion	3	2
Ballyduff	4	–
Curraghturk	5	–
Cullane	5	–
Moneyvarragh	5	–
Curraheen	4	2
Gurtnaderka	4	–
Toorelegan	4	2
Ballyfaskin	5	–
Ballyhanrahan	5	–
Spittle	6	–
Ballylauders	6	–
Killeen	7	–
Knockaneolimen	6	2
Ballyfrutamore	7	–
Ballysponican	16	–

Appendix, No. 1.

CORK.
Manor of Mitchelstown.

3.—Date of patent?

The patent is dated the 28th day of October, in the 13th year of the reign of King Charles the First.

4.—Extent of pecuniary jurisdiction?—Forty shillings English.

5.—How enforced?

By summons or process, decree, and execution against the goods.

6.—What description of cases tried?

Of debt, covenant, trespass, insimul computasset, assumpsit, quantum meruit, contract, trover, detainer.

7.—Extent of power with regard to imprisonment?—Not any.

8.—Number of persons imprisoned under decrees?—None.

9.—Whether the prison be one of peculiar jurisdiction?

No prison. There is a manor pound, for the safe custody of all property taken in execution under manor court decrees and dismisses.

10.—Whether power of distress exists, and how it is levied?

By seizure and sale of the goods.

11.—Number of courts held in each year, beginning from the 31st day of December 1833?

Cannot be answered, as, in consequence of the illness of the Earl of Kingston, the lord of the manor, courts were not held in this manor for some years prior to August 1837, to the great inconvenience of the inhabitants; to remedy which, the present seneschal was appointed, under an order of the Court of Chancery in Ireland, and held his first court on the 8th day of August last, since which, up to the present time, ten manor courts have been held.

12.—Number of courts adjourned for non-attendance of jurors or other cause?

Two adjournments, in consequence of the inclemency of the weather; but it would be well if the seneschal had a like power to fine jurors for non-attendance as in the case of non-attendance of witnesses, which would enable him to enforce the attendance of a more respectable class of jurors.

13.—Number of cases entered for trial?

Ninety-two cases entered from 7th August 1837 to 13th March 1838 inclusive. The number of processes served for each manor court have varied from 40 to 80, many of which settled before the court day.

14.—Number of cases tried?

Seventy-three cases tried from 7th August 1837 to 13th March 1838 inclusive.

15.—Number of decrees signed by the seneschal?

Sixty-six decrees signed from 7th August 1837 to 13th March 1838 inclusive.

16.—Number of dismisses signed by the seneschal?

Six dismisses signed from 7th August 1837 to 13th March 1838 inclusive.

17.—Number of appeals from decrees?

Ten appeals from 7th August 1837 to 13th March 1838. There is too great a facility afforded for the lodging of appeals, which, in 19 out of 20 cases, are merely lodged to gain time and annoy the plaintiff. The defendant lodging the appeal should be obliged to pay the plaintiff's costs, and make affidavit as to merits, and in all respects to conform to the rules observed on lodging appeals in the barrister's court.

18.—Number of appeals tried?—None.

19.—How many decrees were reversed?—None.

20.—Return of fees charged?

	s.	*d.*
For signing and issuing summons or process, and copy	1	–
Entering the cause in court-book	1	–
Hearing the cause, recording the verdict, and preparing and signing decree	2	6
Renewal of decree	–	6
Taking appeal, and preparing and seeing bond executed	1	–
Bailiff, for summoning a jury	1	–

21.—The sums recovered, exclusive of costs?

£.60. 2. 8. from 7th August 1837 to 13th March 1838 inclusive.

22.—Amount of costs during the same period?

This is answered in Nos. 14 and 15, as the costs in all cases entered and tried were charged; but, as stated before, a great number of summonses or processes were issued and served but not entered, the parties having settled, of which no account has been kept.

23.—Whether the seneschal is of any and what legal profession, or justice of the peace?

The seneschal of this manor is a solicitor of the Court of Chancery, and an attorney of the three law courts, of 19 years' standing.

J. W. Sherlock, Seneschal.

COUNTY OF KERRY.

Manor of Leixnaw.

By Letters Patent dated the 6th day of July, in the 10th year of the reign of his late Majesty King James the First, said manor, castle, town, village and lands of Leixnaw, with the appurtenances, situate in the County of Kerry, were granted unto Thomas Fitzmaurice, Baron of Leixnaw, his heirs and assigns for ever, with full power to hold, within the said manor, courts baron and courts leet, as in said letters patent mentioned.

The following are the names of the places over which the jurisdiction of said Court extends, as mentioned in the constat of said manor court, viz.: Myanes, Ballynagarrie, Ballintogher, Knockane, Incurrihine, Erribegga, Ballicrahine, Liscalane, Conygeare, Tonereogh, Farrennyseare, Kilcluony, Ballenvolen, Ballenawbourty, Ballencloher, Dirrivren, Ballendermody, Tarrennegissagh, Kilvaldy, Gortileig, Mollenower, Tyremountcrahy, Garruffecluon, Clowneveale, Inahie, Moanavilcon, Farrenivally, Monanteady, Kippahruo, Farrennywonuckory, Gortnygrave, Toamenyfarran, Ivesseigerit, the two Aghibeggs, Cluonyne, Farrenraghterie, Mallaruoe, Dromeroe, Mockenagh, Kilfeighny, Buolybeinagh, and Gortencloghan, with their and each of their appurtenances in said county of Kerry; and said lands of Gortileig is the most remote of said several lands, the same being distant about five or six miles from Leixnaw aforesaid, where said manor court is uniformly held.

The pecuniary jurisdiction of said court by said letters patent is, to hold pleas on Mondays, from three weeks to three weeks, of whatever debt, contract, trespass, account, detinue, case, contract, and other matters whatsoever, which in debt or damages exceed not the sum of 40s. lawful money of England, happening, arising, done or perpetrated within the said manor, or in or within any other towns, villages, hamlets, lands, tenements or hereditaments, which from thenceforth were to be given, aliened or granted by the said Thomas Fitzmaurice, Baron of Leixnaw, his heirs or assigns, as of his said manor of Leixnaw; and to hear, determine and execute in said court, all and singular, such and the like actions, causes and matters, and all and singular other matters whatsoever, which in any court baron in the kingdom of Ireland, or within the kingdom of England, ought or might be heard, determined and executed.

The cases tried in said court before the seneschal and jury are, viz.: actions in debt, assumpsit, and insimul computassunt, quantum meruit, trover, trespass, and detinue, for sums not exceeding 40 *s.*, upon examination of witnesses duly sworn, and sometimes the parties themselves or one of them; and the decrees and dismisses of the court are always granted against the goods for the sum decreed, together with 5 *s.* 6 *d.* costs, and the amount thereof levied by sale of the goods taken thereunder, upon four days' previous notice thereof, given in writing, as in other cases of civil bills.

It seems this manor court has not the power of imprisonment, neither does the seneschal exercise any such power.

The number of courts held in this manor yearly since 31st of December, 1833, were, viz.: in the year 1834, nine; in the year 1835, seven; in the year 1836, eleven; and from thence to the 20th day of December 1837, six courts.

These courts were not held regularly on every court-day, for want of business to be done; two adjournments thereof took place in the year 1834, three in 1835, three in 1836, and one in 1837, in consequence of the seneschal's absence on professional business in Dublin and elsewhere; besides which, that no court was held from 10th April 1837 to 23d October 1837, partly because of the seneschal's absence on professional business, and that he was unwilling to hold court in consequence of the death of the late lord of the manor, under whom he held his appointment, until his reappointment by his successor. No adjournment of said court took place for want of jurors.

The number of cases entered for trial during said period were 120, of which 18 were agreed and 102 were tried, 84 of which were decreed and 18 dismissed; appeals were lodged to six of said decrees, of which only one was tried and the decree affirmed with costs; no decree of this court has been reversed on the trial of any appeal since the seneschal's appointment in March 1829.

The following are the fees charged for the business done in said court during said period:

	s.	*d*
To the seneschal for issuing and signing the summons or process	1	–
To same on entering the plaint	1	–
To the manor court bailiff for summoning a jury	1	–
To the seneschal for every execution made and signed	2	6
To same on entering defendant's appearance	1	–
To same on signing and issuing compulsory summons	–	6
To same on taking appeal bond	1	–
To same on signing and issuing every renewal	–	6

The cost of each decree and dismiss is 5 *s.* 6 *d.*, and the manor court bailiff's fees for executing and levying the same is 6 *d.* for the first and 3 *d.* for every pound after.

Appendix, No. 1.

KERRY.

Manor of Leixnaw.

The following is a list of the sums or debts recovered under the decrees of said court during said period, exclusive of costs of decrees and dismisses:

£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
–	5	–	1	10	–	–	2	3	1	10	–	–	12	–
–	15	–	1	14	6	–	9	8	–	9	6	–	3	9½
1	1	9	1	–	–	–	10	–	–	7	–	–	7	6
–	16	–	1	15	6	–	1	4½	1	8	–	–	7	6
–	18	4½	1	3	6	1	12	6	1	–	6	–	13	9
–	16	8	1	10	–	1	12	6	2	–	–	1	5	6
–	10	6	–	11	6	1	7	9	2	–	–	1	5	9
2	–	–	–	1	–	–	10	–	–	8	–	–	5	1
–	17	–½	1	13	–½	–	3	10	1	9	–	1	–	–
1	10	–	–	3	2	–	7	6	1	15	–	–	14	4½
1	7	6	–	17	4	2	–	–	–	18	6	1	10	–
1	11	–	–	14	4	–	10	–	–	5	3	–	9	1½
–	12	5	1	8	–	–	15	7	–	5	–	69	1	9½
1	–	–	1	10	–	–	7	–	–	7	6			
–	16	8	1	17	–	–	8	11	–	11	6			
1	7	–	1	–	–	–	10	–						

The cost of said proceedings in said court during said period, including the bailiffs' fees summoning juries, amounted to 57 *l.* 11*s.* 8*d.*, besides a sum of 22 *l.* 3 *s.*, the costs of 443 processes issued and not entered.

Richard Fitzgerald, the seneschal of said court, is a practising attorney of the Courts of King's Bench, Common Pleas and Exchequer, and a solicitor of the Court of Chancery in Ireland, and also proctor of the Court of Admiralty.

Listowel, 23d January 1838. *Richard Fitzgerald,* Seneschal.

MANOR OF LISTOWEL.

Manor of Listowel.

BY letters patent, dated the 6th day of July, in the 10th year of the reign of his late Majesty King James the First, said manor, castle, town, village, and lands of Listowel, with the appurtenances, situate in the county of Kerry, were granted unto Thomas Fitzmaurice, baron of Leixnaw, his heirs and assigns for ever, with full power to hold, within said manor, courts baron and courts leet, as in said letters patent mentioned.

The following are the names of the places over which the jurisdiction of said manor court extends, as mentioned in the constat of said manor court, viz.: Illanigannyffe, Isllane, M'Lougherie, Ballihowloge, Celieveragh, Aghitroughs, Gorticurrin, Gorticrussane, Dromeivrin, Inchy, M'Gullyreough et Illanevockane, with all and singular the rights, members and appurtenances situate in said county of Kerry; and said lands of Dromeivrin are the most remote of said several lands, the same being distant about four miles from Listowel aforesaid, where said manor court is uniformly held.

The pecuniary jurisdiction of said court, by said letters patent, is to hold pleas on Tuesdays, from three weeks to three weeks, of whatever debt, contract, trespass, account, detinue, case, contract and other matters whatsoever, which in debt or damages exceed not the sum of 40 *s.* lawful money of England, happening, arising, done or perpetrated within said manor, or in or within any other towns, villages, hamlets, lands, tenements or hereditaments, which from thenceforth were to be given, aliened or granted by the said Thomas Fitzmaurice, baron of Leixnaw, his heirs or assigns, as of his said manor of Listowel; and to hear, determine and execute in said court, all and singular such and the like actions, causes and matters whatsoever, which in any court baron in the kingdom of Ireland, or within the kingdom of England, ought or might be heard, determined and executed.

The cases tried in said court before the seneschal and jury are, viz.: actions in debt, assumpsit, and insimul computassunt, quantum meruit, trover, trespass, and detinue, for sums not exceeding 40 *s.*, upon examination of witnesses duly sworn, and sometimes the parties themselves, or one of them; and the decrees and dismisses of said court are always granted against the goods for the sum decreed, together with 5 *s.* 6 *d.* costs, and the amount thereof levied by the bailiff of said court, by sale of the goods taken thereunder, upon four days' previous notice in writing, as in other cases of civil bills.

It seems this manor court has not the power of imprisonment, neither does the seneschal exercise any such power.

The number of courts held in said manor yearly, since 31st December 1833, including a court held on that day, to 20th December 1837, were, viz.: in 1834, 14; in 1835, 11; in 1836, 10; and in 1837, eight courts.

The court was not held regularly every three weeks for want of business to be done; two adjournments thereof took place in the year 1834; three in 1835; three in 1836; and two in 1837, in consequence of the seneschal's absence on professional business in Dublin and elsewhere; besides which, that no court was held from 21st of March 1837 to 27th of August 1837, partly because also of the seneschal's absence on professional business, and that he was unwilling to hold court in consequence of the death of the late lord of the manor, under whom the seneschal held his appointment, until his re-appointment by his successor. No adjournment of said court took place for want of jurors.

The

The number of cases entered for trial in said court during said period were 154; of which 30 were agreed, 90 decreed, and 34 dismissed. Appeals were lodged to two of said decrees, which decrees were tried and confirmed with costs. No decree of this court, since the seneschal's appointment in March 1829, has been reversed on the trial of any appeal therefrom.

The following are the fees charged for the business done in said court during said period:

	s.	d.
To the seneschal for issuing and signing the summons or process	1	–
To same on entering the plaint	1	–
To the manor court bailiff for summoning a jury	1	–
To the seneschal for every execution made and signed	2	6
To same on entering defendant's appearance	1	–
To same on signing and issuing of compulsory summons	–	6
To same on taking appeal bond	1	–
To same on signing and issuing every renewal	–	6

The following are the sums or debts recovered under the decrees of said court during the entire of said period, exclusive of costs of decrees and dismisses:

£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
–	6	6	–	10	–	1	10	2	–	10	–	–	8	6
1	2	8	1	–	–	–	7	2	–	6	2	–	8	4
–	4	8	–	14	–	1	3	–	1	10	–	1	8	–
–	16	–	–	3	10½	1	–	2	–	18	10	–	6	6
–	11	–	1	3	7	1	1	–	–	11	–	–	8	10½
1	6	–	–	4	–	–	17	–	1	–	–	–	14	8
–	6	4	–	4	2½	1	14	–	–	5	2	1	4	–
1	–	–	1	1	6	–	11	8	–	2	6	–	1	–
1	–	–	–	8	5	1	10	2	–	14	6	–	15	–
–	14	6	–	19	6	–	14	8	–	19	8	1	10	–
1	11	6	–	6	–	1	3	6	–	1	4½	–	5	–
–	5	–	–	13	7	1	10	–	–	8	6	–	13	8
–	16	4½	–	11	2	–	12	2	–	10	–	1	6	–
–	15	–	–	3	10	1	2	8	–	15	–	–	13	–
–	9	2	–	8	6	–	15	6	2	–	–			
1	9	4	–	10	10½	–	2	5	1	18	7½	£	63	19	2½
1	9	2	–	4	6	1	–	–	–	12	2				
–	5	2	–	8	–										

The costs of the proceedings in said court during said period, including the bailiff's fees summoning juries, amounted to 49 *l.* 3*s.*; besides a sum of 22 *l.* 19*s.*, the costs of 460 processes issued and not entered.

Richard Fitzgerald, the seneschal of said court, is a practising attorney of the Courts of King's Bench, Common Pleas, and Exchequer, and a solicitor of the Court of Chancery in Ireland, and also proctor of the Court of Admiralty.

Listowell, January 23, 1838. } *Rich. Fitzgerald*, Seneschal.

KING'S COUNTY.

MANOR OF PARSONSTOWN AND NEWTOWN.

PLACES over which Jurisdiction of Manor extends, and greatest Distance from Place of holding Court?

Annagteage,* otherwise Annasteage; Aughnassillagh; Birr, or Parsonstown; Ballindarragh; Ballyshout,* otherwise Ballyshoule; Baelaneale, otherwise Coppaneale; Ballinree, otherwise Ballinry; Bealla*; Bealla na ferrye*; Ballyduffe, 12 miles; Clonegah*; Crinkill; Clonkelly, otherwise Clonekella; Clondaghe, otherwise Clonebagh, otherwise Clonlegah, otherwise Clondeagh; Clonoghill, otherwise Clonaghe; Clonbrone; Drumbawn; Derrinduff; Killinfadda,* alias Killinfedin; Kilkieran, 12 miles; Loughill*; Logheroa*; Lisnabracke, alias Lisserabrack; Maherynowlart*; Newton, seven miles; Scorragh; Sheepfield*; Siffin, alias Seffin; Tomagha*; Tircorraghe. All the foregoing denominations are in the barony of Ballybrit and King's county.

Ardgogy, six miles; Ballindown; Ballywilliam; Ballykelly, five miles; Ballynea*; Bollinarge; Ballinalugg*; Ballinlough*; Carrig Edmond; Carrig Donnell; Cargeens, alias Carrigeens; Coologe, alias Kologe; Derrinlough, six miles; Doorus, six miles; Drynagh, eight miles; Derryfadda, alias Derryadda, seven miles; Galrush; Port*; Shanvolly*; Shillogg*; Tulleneskeagh. All the latter denominations are in the barony of Eglish and King's county.

[*Note.*—The denominations marked thus (*) cannot now be made out; their names are not used or known.]

Appendix, No. 1.

KING'S COUNTY.

Manors of Parsonstown and Newtown.

Date of Charters or Patents?

10 James 1; 26 June 1620, or 26 July 1620. 12 Charles 1, 14 April.

Extent of pecuniary jurisdiction, and how enforced?

Not exceeding 40*s.*, late Irish currency; enforced by distringas, and decree against goods.

Description of Cases tried?

Debt, transgressions, contracts, detinue, covenant, trespass, computasset, may be tried, but the cases generally tried are simple contracts, accounts stated and settled.

Number of Courts held in each Year?

Seven in 1834; six in 1835; seven in 1836; six in 1837.

Courts adjourned, and for what Causes?

Two adjourned in 1834, happening to fall in with the time of holding the quarter sessions, which, as well as the manor court, are held in the court-house, Parsonstown.
Five not held for want of jurors, though regularly summoned.
Two again adjourned in 1835, the quarter sessions interfering, as before.
Six not held for want of jurors, though summoned, as before.
Three adjourned in 1836, the quarter sessions interfering.
Five dropped for want of a jury, though summoned.
Two adjourned in 1837, quarter sessions interfering.
Six dropped for want of jurors.

Cases entered for Trial, and Cases tried?

In 1834, 65 cases entered; 36 tried.
In 1835, 52 cases entered; 40 tried.
In 1836, 97 cases entered; 75 tried.
In 1837, 82 cases entered; 46 tried.

Number of Appeals from Decrees, and how many tried?

There have not been more than four appeals for the four years, viz., 1834, 1835, 1836 and 1837. One decree was reversed, as it ought to have been done, though the respondent did not attend at the assizes to support his decree; the appeals in two others were not proceeded on, and the fourth remains for the next assizes.

Fees charged?

	s.	*d.*
For a distringas	1	–
For bail to a distringas	1	–
For a summons, and copy	1	–
To bailiff serving distringas or summons	1	–
Entering cause for hearing	1	–
To bailiff summoning jury	1	–
For decree or dismiss made out and signed by seneschal	2	6
For each renewal of decree or dismiss	–	6
For the bond and bail on appeal	1	–

Sums recovered?

	£.	*s.*	*d.*
In 1834	32	13	1
— 1835	29	15	4
— 1836	58	–	–
— 1837	40	4	5

The foregoing sums exclusive of costs.

Amount of Costs received in the years as below?

In 1834	9	16	–
— 1835	8	11	–
— 1836	12	14	–
— 1837	10	15	–

It is to be observed that the costs in the years above stated were from processes, or summonses, or distringas, issued and served, on which settlements took place without further proceedings. The average issue of processes or distringas for each year about 120, and also from the entries and decrees, or dismisses.

Of what Profession is Seneschal?

A solicitor in Chancery; also an attorney of the courts of Queen's Bench, Common Pleas, and Exchequer, in Ireland.

The patent does not extend to imprisonment of the person for debt.

It is very difficult to obtain the attendance of jurors; though there are 24 jurors summoned for each court day, there are seldom more than six or seven of those so summoned in attendance,

attendance, the remainder are supplied from persons in the neighbourhood of the court-house, or in the court at the time; sometimes only five or six jurors can be made out, and on some such occasions the suitors consent to have their cases tried by these five or six jurors: when such consent cannot be obtained, the court is adjourned or drops altogether. It would be of great advantage if there was the same mode of levying fines for non-attendance of jurors, as in the courts of quarter sessions.

Though the jurisdiction of the Parsonstown manor as to the amount is very limited, yet still it is of great advantage in numberless instances.

On several occasions persons' goods, not residing within the manor, have been attached, and debts in consequence paid, which never otherwise would have been paid. This may appear to be a harsh proceeding, but still it appears justifiable in cases of small demands (as they must always be in this manor) and poor suitors.

Geo. Mitchell, Seneschal.

COUNTY OF TIPPERARY.

Manor of Roscrea.

Places over which the Jurisdiction of each Court extends, and the greatest Distance of any Place within such Jurisdiction from the ordinary Place or Places of holding such Court?

The seneschal of the manor of Roscrea begs leave to refer to an answer already given by him in the month of March last.

Date of Patents or Charters granted to such Courts?

Twenty-third October, 29 Hen. 8.

Extent of their Pecuniary Jurisdiction?

Ten pounds of late Irish currency.

How it is enforced?

By distress and sale of the goods by the special bailiff of the manor, who enters into security with two sufficient sureties in the sum of 50 *l.* for the faithful discharge of his office. —*Vide* 25 Geo. 3.

What Description of Cases are tried?

All cases of debt, assumpsit and insimul computasset, not exceeding the sum of 10 *l.*; and in all cases of quantum meruit, trover, trespass or detinue, not exceeding the sum of 5 *l.*, and within the sum to which the jurisdiction of manor courts is limited by the grant or charter under which said courts are held.—*Vide* 25 Geo. 3.

The Extent of their Power with regard to Imprisonment?—None whatever.

The Number of Persons imprisoned under their Decree?—None.

Whether the Prison be one of peculiar jurisdiction?

There is no prison of peculiar, or any jurisdiction, belonging to the manor of Roscrea.

Whether Power of Distress exists, and how it is levied?

It does as far as 2 *l.* of late Irish currency, which is never levied. If the party distrained disputes the debt he enters into a bond, with two sureties, to have the goods forthcoming at the next court-day, when the case is tried like any other civil bill.

Number of Courts held in each Year, commencing from the 31st Day of December 1833?—Twelve; one in every month.

The Number of Courts adjourned for Non-attendance of Jurors, or other Cause?

None for non-attendance of jurors. Five for cholera and indisposition.

The Number of Cases entered for Trial?

In 1834, 250 cases were entered for trial.
In 1835, 221 cases.
In 1836, 208 cases.

The Number of Cases tried?

In 1834, 216 cases were tried.
In 1835, 191 cases.
In 1836, 194 cases.

The Number of Appeals from Decrees, stating how many were tried, and how many Decrees were reversed?

Five in the three preceding years.

None were tried; of course none could have been reversed. Delay seemed to have been the entire object, as the appellants settled previous to the assizes.

Appendix, No. 1.

TIPPERARY.

Manor of Roscrea.

A Return of Fees charged?

The fees regulated by statute.—*Vide* 25 Geo. 3, c. 8.

Fee to seneschal for issuing summons - -	£.	–	1 1
To same for entering plaint - - - -		–	1 1
For every execution made out and signed - -		–	2 8½
For every renewal - - - -		–	– 6½
Bond on appeal - - - - -		–	1 1
Bailiff or marshal for summoning a jury - -		–	1 1
For every dismiss - - - - - -		–	5 11

All of late Irish currency.

Sums recovered?

In 1834, the sums recovered amounted to -	£.	394	2 11
In 1835, to - - - - - - - -		383	3 5
In 1836, to - - - - - - - -		407	3 4

Amount of Costs during the same period?

In 1834, the costs on decrees, dismisses, distringas, renewals, amounted to - -	£.	52	10 9
In 1835, to - - - - - - - -		49	18 11
In 1836, to - - - - - - - -		54	10 1

It would amount to considerably more, but the parties settle, and do not take out decrees or dismisses.

Courts, the Seneschal or Stewards of which are Members of any, and what, Legal Profession, or Justices of the Peace?

A solicitor of the Court of Exchequer, of 25 years' standing.

John Smith, Seneschal.

TYRONE.

Manor of Augher.

COUNTY OF TYRONE.

MANOR OF AUGHER.

PLACE of Jurisdiction?—Manor of Augher.

Greatest Distance?—Three miles from town of Augher, where court is held.

Date of Patent?—About the year 1614.

Extent of pecuniary jurisdiction?—Two pounds.

How enforced?—By process.

Description of Cases?—Debts under 2 *l.*, or contracts.

Extent of Power?—No power of imprisonment.

Number of Persons imprisoned?—None.

Whether Power of Distress exists, and how levied?
It does; levied by seneschal's warrant.

Number of Courts held in each year?
Court days are every third Monday, if there is any business to be done.

Number of Cases entered for trial?
One hundred and eighty-seven in the space of last three years.

Number of Cases tried?—One hundred and one in the space of last three years.

Number of Appeals?—Five; none reversed.

Amount of Fees charged?—Five shillings and sixpence.

Number of Decrees?—Eighty-seven.

Number of Dismisses?—Fourteen.

Number of Courts adjourned?—About eight in last three years.
Seneschal no member of legal profession, nor justice of peace.

John Caldwell, Seneschal.

Appendix No. 2.

A RETURN of the Number of DECREES and DISMISSES signed by the Seneschals or Stewards of the several Manor Courts in *Ireland*.

COUNTY OF CORK.

MANOR OF CLOYNE.

Decrees - - - - 58. | Dismisses - - - - 6.

It is to be observed that no account whatever is here taken of those cases, although they form a vast majority of those coming before the seneschal, in which the parties come to an amicable arrangement after the issuing of the process, and before the sitting of the court.

W. Welland, Seneschal.

COUNTY OF FERMANAGH.

MANOR OF BROOKBOROUGH.

From 27 November		1826	-	-	2	dismisses	-	-	0	decrees
1 January		1827	-	-	1	—	-	-	8	—
1	—	1828	-	-	0	—	-	-	8	—
1	—	1829	-	-	0	—	-	-	12	—
1	—	1830	-	-	1	—	-	-	24	—
1	—	1831	-	-	1	—	-	-	18	—
1	—	1832	-	-	0	—	-	-	13	—
1	—	1833	-	-	3	—	-	-	9	—
1	—	1834	-	-	0	—	-	-	14	—
1	—	1835	-	-	1	—	-	-	4	—
1	—	1836	-	-	0	—	-	-	15	—
1	—	1837	-	-	0	—	-	-	5	—
TOTAL			-	-	9	dismisses	-	-	130	decrees.

John Edward Taylor, Seneschal.

COUNTY OF ROSCOMMON.

MANOR OF FRENCHPARK.

1834	-	-	-	32	decrees	-	-	-	4	dismisses
1835	-	-	-	26	—	-	-	-	6	
1836	-	-	-	63	—	-	-	-	11	
1837 (April)		-	-	35	—	-	-	-	5	

Frederick Cary, Seneschal.

COUNTY OF TIPPERARY.

MANOR OF CAHER, REHILL, AND CASTLEGRACE.

Manor of Caher	-	-	-	561	decrees	-	-	-	69	dismisses
Manor of Rehill	-	-	-	253	—	-	-	-	13	—
Manor of Castlegrace		-	-	81	—	-	-	-	9	—

Caher, 19 May 1837.

James Barry, Seneschal.

MANOR OF ROSCREA.

1834.—Decrees signed	-	-	-	-	-	-	-	167
Dismisses	-	-	-	-	-	-	-	19
1835.—Decrees signed	-	-	-	-	-	-	-	161
Dismisses	-	-	-	-	-	-	-	17
1836.—Decrees signed	-	-	-	-	-	-	-	179
Dismisses	-	-	-	-	-	-	-	14

John Smith, Seneschal.

Appendix, No. 3.

Appendix, No. 3.

Quarter Sessions, Ireland.

PAPERS delivered in by Mr. *George Mathews*, and referred to in his Evidence of 27 March 1838.

(1.)—RETURN of QUARTER SESSIONS in every County in *Ireland.*

ANTRIM:—At Ballymoney, twice a year; Carrickfergus, twice; Belfast, thrice; Ballymena, twice; and Antrim, twice.

ARMAGH:—At Armagh, four times a year; Markethill, four times; Lurgan, twice; Ballybot, twice; and Newtownhamilton, once.

CARLOW:—At Carlow, twice; Tullow, twice; and Bagnalstown, once.

CAVAN:—At Cootehill, twice; Ballyconnel, twice; Cavan, four times; and Bailieboro', twice.

DONEGAL:—At Donegal, thrice a year; Glenties, twice; Letterkenny, twice; Buncrana, once; and Lifford, once.

DOWN:—At Downpatrick, twice; Newry, twice; Newtownards, twice; and Hillsboro', twice.

GALWAY:—At Eyrecourt, once; Ballinasloe, twice; Galway, four times; Oughterard, twice; Clifden, twice; Tuam, twice; Loughrea, twice; and Gort, once.

KERRY:—At Killarney, four times; Cahirciveen, twice; Tralee, four times; Dingle, twice; Listowell, four times; and Kenmare, twice.

KILDARE:—At Kildare, twice; Naas, twice; Athy, twice; and Maynooth, twice.

KILKENNY:—At Kilkenny, four times; Urlingford, twice; Thomastown, four times; Callan, twice; Pilltown, twice; and Castlecomer, once.

KING'S:—At Philipstown, four times; Tullamore, four times; and Birr, four times.

LEITRIM:—At Manorhamilton, four times; and Carrick-on-Shannon, four times.

LIMERICK:—At Newcastle, twice; Rathkeale, four times; Limerick, three times; and Bruff, twice.

LONDONDERRY:—At Londonderry, twice; Coleraine, twice; Newtown Limavady, twice; and Magherafelt, twice.

LONGFORD:—At Longford, four times; and Granard, twice.

LOUTH:—At Drogheda, four times; Ardee, twice; and Dundalk, four times.

MAYO:—At Ballinrobe, four times; Ballina, four times; Castlebar, four times; and Belmullet, once.

MEATH:—At Kells, twice; Dunshaughlin, twice; Trim, twice; Navan, twice; and Duleek, once.

MONAGHAN:—At Clones, twice; Monaghan, four times; Castleblayney, four times; and Carrickmacross, twice.

ROSCOMMON:—At Athlone, twice; Castlerea, twice; Boyle, twice; Roscommon, twice; and Strokestown, twice.

SLIGO:—At Ballymote, four times; Sligo, four times; and Easky, twice.

TIPPERARY:—At Clogheen, once; Tipperary, once; Thurles, twice; Carrick-on-Suir, once; Cashel, thrice; Nenagh, twice; Roscrea, once; and Clonmel, twice.

TYRONE:—At Clogher, four times; Omagh, four times; Strabane, four times; and Dungannon, four times.

WATERFORD:—At Waterford, four times; Lismore, twice; and Dungarvan, twice.

WESTMEATH:—At Moate, four times; and Mullingar, four times.

WEXFORD:—At Enniscorthy, twice; New Ross, twice; Gorey, twice; and Wexford, twice.

WICKLOW:—At Wicklow, four times; Arklow, twice; Tinahely, four times; and Baltinglass, four times.

Petty Sessions, Ireland.

(2.)—NUMBER of PETTY SESSIONS in every County in *Ireland.*

Antrim	16	Kildare	11	Roscommon	24
Armagh	12	Kilkenny	17	Sligo	12
Carlow	6	King's	17	Tipperary	20
Cavan	16	Leitrim	9	Tyrone	20
Clare	18	Limerick	18	Waterford	14
Cork	45	Londonderry	12	Westmeath	16
Donegal	19	Longford	12	Wexford	11
Down	23	Louth	8	Wicklow	14
Dublin	11	Mayo	22		
Fermanagh	11	Meath	15		
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Kerry	22	Queen's	18		

(3.)—LIST of SENESCHAL COURTS in *Ireland*.

Appendix, No. 3.

Seneschal Courts, Ireland.

ANTRIM :—Belfast, Lisburn, Glenarm, Ballymena, Ballyclare, Ballycastle.

ARMAGH :—Armagh, Caledon, Tynan, Loughgall, Lurgan, Tandragee, Newry, Markethill.

CARLOW :—Carlow.

CAVAN :—Bailieboro', Swanlinbar, Killeshandra, Cootehill, Ballyconnell, Virginia.

CLARE :—Sixmile-bridge, Killaloe, Scariff, Ennis, Kilrush, Limerick.

CORK :—Clonakilty, Castletown, Rosscarberry, Bantry, Bandon, Skibbereen, Kanturk, Cloyne, Cork, Fermoy, Castlemartyr, Charleville, Dunmanway, Kilworth, Killeagh, Macroom, Mitchelstown, Mallow, Middleton, Ballincollig.

DONEGAL :—Armagh, Donegal, Ballintra, Dunfanaghy, Letterkenny, Glenties, Dunglo, Londonderry, Raphoe, Pettigo, Mount Charles, Faban, Ramelton, Killygordon, Stranorlar.

DOWN :—Castlewellan, Killough, Hillsboro', Belfast, Kilkeel, Killinchy, Downpatrick, Crossgar, Portaferry, Bryansford, Greyabbey, Moira, Donaghadee, Newry, Dromore, Rathfryland, Ardglass, Killilea, Saintfield, Kirkcubbin, Bangor, Strangford.

DUBLIN CITY :—St. Sepulchre, Thomas Court, Grange Gorman, St. Patrick's, Kilmainham.

FERMANAGH :—Kish, Enniskillen, Churchhill, Clones, Ballyconnell, Brookboro', Fivemile Town, Lisnaskea, Irvinestown.

GALWAY :—Clifden, Loughrea, Castleblakeny, Eyrecourt.

KERRY :—Killarney, Kenmare, Tralee, Dingle, Listowell, Tarbert, Killorglin, Castleisland.

KILDARE :—Nil.

KILKENNY :—Castlecomer, Ballyraggett, Urlingford, Kilkenny, Graigue, St. Canice.

KING'S :—Portarlington, Parsonstown.

LEITRIM :—Nil.

LIMERICK :—Shanagolden.

LONDONDERRY :—Castledawson, Newtown Limavady, Kilrea, Magherafelt, Draperstown, Moneymore.

LONGFORD :—Nil.

LOUTH :—Nil.

MAYO :—Newport Pratt, Ballaghaderin, Castlebar, Westport, Killalla.

MEATH :—Nil.

MONAGHAN :—Monaghan, Castleblaney, Clones, Glasslough.

QUEEN'S :—Shruel, Clonaslee.

ROSCOMMON :—Boyle, Frenchpark.

SLIGO :—Sligo, Colooney.

TIPPERARY :—Cahir, Clogheen, Roscrea, Killenaule.

TYRONE :—Donoghmore, Dungannon, Blackwatertown, Castlederg, Armagh, Cookstown, Stewartstown, Augher, Clogher, Ballygawley, Trilick.

WATERFORD :—Dungarvan, Lismore.

WESTMEATH :—Glasson, Mullingar, Kilbeggan.

WEXFORD :—Nil.

WICKLOW :—Nil.

Several of these courts have done no business for many years, at least such is stated by the clerks of the peace.

Geo. Mathews.

Appendix, No. 4.

Appendix, No. 4.

PAPER delivered in by Mr. *M. Leonard,* and referred to in his Evidence of 13 March 1838.

Process.

County of Kerry.
Division of Listowell, to wit.

Maurice Harty, of Liscarrig, in the county of Kerry, farmer, Plaintiff.
Thomas Crosbie, of Ballyheigue Castle, in the county of Kerry, esquire, Defendant.

By the Assistant Barrister at the Sessions for the said County.

The defendant is hereby required personally to appear before the said Assistant Barrister, at Listowell, on the 31st day of October instant, to answer the plaintiff's bill for the sum of 4 *l.* sterling, loss, injury, and damage sustained by plaintiff, in consequence of defendant, as Seneschal of Ballynoe and Ballingarry in present year, having undertaken to prepare a certain appeal-bond to a decree obtained in said Manor Court, and for which plaintiff paid defendant a sum of 8*s.* 8*d.*, and which bond was informal and incorrect, whereby said decree was affirmed against plaintiff, in consequence of which neglect on defendant's part plaintiff suffered loss as aforesaid; or in default thereof, the said Assistant Barrister will proceed as to justice shall appertain.

Dated this 9th day of October 1837.

(Signed on behalf of the Plaintiff,)

Daniel Supplip, Attorney.

Notice.

John O'Brien, Plaintiff.
Maurice Harty, Defendant.

Tralee October Sessions, 20 October 1837.

Sir,

Take notice, that I will, on the hearing of the appeal in this cause, at the Listowell sessions, on the 31st of October instant, require of you to produce the bond of appeal which has been lodged in your office to a Manor Court decree obtained against me in Ballynoe and Ballingarry Manor Court for the sum of 2 *l.*, due by note to one Michael Bourke; and should you decline or refuse to produce said bond of appeal, secondary evidence will be given of its contents.

Dated this 26th day of October 1837.

Maurice Harty.

To Francis Crosbie, Esq., Clerk of the Peace,
Co. Kerry.

ANALYSIS OF INDEX.

ANALYSIS OF INDEX.

LIST of the PRINCIPAL HEADINGS referred to in the following INDEX, with the Page of the INDEX at which they will be respectively found.

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Action on Recognizance. Useful regulation, if a party did not prosecute his appeal, that an action upon the recognizance should be brought against him in the quarter sessions court summarily, *Hetherington* 385.

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2. Gwilliambrook:

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5. *Opinions in favour of Appeals being tried by Assistant Barristers.*

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Arbitration. Manor courts should be made courts of arbitration, *Macdonnell* 2105—— Assistant barristers very often summon an arbitration jury of three persons; how selected, *Macdonnell* 2107.

Archer, Mr. Case of Archer, a storekeeper of Dublin, in the manor court, *Hetherington* 273.

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Assistant Barristers. See *Appeals*, 5. *Costs. Quarter Sessions. Registration Cases.*

ATTACHMENT:

1. *Generally.*
2. *Advantages of the present System.*
3. *Evils of the present System.*
4. *Remedy proposed.*
5. *In particular Manors:*
   - i. Ballyconnel.
   - ii. Dublin, St. Sepulchre.
   - iii. Dungarvan.
   - iv. Tipperary.

1. *Generally:*

Legal proceedings under attachments, *Leonard* 1170——Cost of issuing attachment against body or goods formerly 19 *s.* 2 *d.*, now reduced to 12 *s.* 6 *d.*, *Hetherington* 395.

2. *Advantages of the present System:*

Great advantages in the present mode of issuing attachments against goods, *Crawford* 1755——System of attachment generally preferred by dealers on account of the remedy it immediately gives where parties are leaving the country, *Macaulay* 101—— Process of attachment when properly administered adds much to the convenience of suitors, *Macaulay* 192.

3. *Evils of the present System:*

Witness has known a case in which goods have been taken by attachment, and in which the defendant having gained a verdict could not recover all his property, *Hetherington* 265——Process of attachment against goods reckoned a great hardship; injury and loss sometimes befalls the goods of successful defendants, *Hetherington* 280, 281———In manor courts generally, attachments are issued from the office of registrar without consulting the seneschal, *Hetherington* 293——Are often obtained by vindictive persons to harass debtors, *Hetherington* 513——Unfair results from the practice of attachment, *Cullinan* 782——A constant practice, when an attachment is obtained, to run away with the goods of the defendant, without obtaining a decree, and sell them, *Cullinan* 797—— Are productive of the greatest hardship where the party is not residing within the manor, *Cochrane* 1465.

4. *Remedy proposed:*

It would be a great improvement if parties were obliged to convince the court that there was danger of the loss of the debt by parties leaving, prior to issuing a distringas, *Cullinan* 697.

5. *In Particular Manors:*

i. Ballyconnel:

Case in which witness took proceedings against a plaintiff; evidence as to attachments and proceedings thereon, *Cochrane* 1319.

ii. Dublin, St. Sepulchre's:

Attachments are carried to a great extent, and in a very reprehensible manner, from St. Sepulchre's Dublin court, *Hetherington* 497.

iii. Dungarvan:

Cannot issue unless the debt is over 40 *s.* Irish, *Bagge* 1613——Principal complaints witness has heard of, arise from the issuing of attachments, *Bagge* 1512.

iv. Tipperary:

The courts of Caher, Castlegrace and Rehill, have no power of attachment, except in execution, *Barry* 1940——When a verdict has been gained, execution is against the goods of the defendant alone, not against the person, *Barry* 1967——In witness's jurisdiction, bailiffs can only go against goods, not the person, *Barry* 2167.

See also *Affidavits*, I. 2. *Bail. Ballylinny. Barrow*, Mr. *Bridgeman*, Mr. *Constables. Costs. Distringas. Farmers. Provisions. Ships.*

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ATTORNIES:

1. *Generally.*
2. *In Particular Courts:*
   i. Castledawson.
   ii. Caher.
   iii. Dungarvan.
3. *Quarter Sessions.*

1. *Generally:*

Those who are seneschals of courts are in the habit of practising in districts over which they have jurisdiction, *Macaulay* 76——Advantages of attornies attending seneschals' courts, *Macdonnell* 2096——Respectable attornies do not practise in manor courts, *Cullinan* 744——Persons in respectable business are not in the habit of practising at manor courts, *Bagge* 1499.

2. *In particular Courts:*

i. Castledawson:

Attornies practise in this court; the seneschal would not allow others, *Crawford* 1763.

ii. Caher:

Practitioners generally attornies; sometimes barristers have conducted cases, *Barry* 2124, 2125——No person beneath the rank of an attorney allowed to practise in witness's court, *Barry* 2126.

iii. Dungarvan:

At present no persons practise in court who are not sworn attornies; the present seneschal will not allow the former practice of persons not being solicitors conducting cases, *Bagge* 1592-1595.

3. *Quarter Sessions:*

The better regulations of the assistant barristers' courts within the last 10 or 12 years has tended to increase the respectablity of the practitioners, *Barry* 2233.

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Bagge, Henry. (Analysis of his Evidence).—Resides at Dungarvan, 1491——Intimate knowledge of the proceedings of the manor court, 1494——Attornies in respectable business are not in the habit of practising in the courts, 1499——Court held at the same house as the quarter sessions, 1500-1502——Complaints witness has principally heard of is the issuing of attachments, 1512——And the juries are not of a respectable class, 1513——They are generally low shopkeepers, publicans and tradespeople, 1515——Seneschal has not power to enforce the attendance of a respectable jury, 1524——Witness has heard of vessels and boats laden and ready to proceed to sea being seized under attachments, 1528——If any person makes an affidavit before the seneschal, the seneschal issues an attachment against the goods; case of Mr. Barron, 1530——Examination as to expenses of a suit in a manor court, 1538——Annoyance to farmers of having their goods seized for debt on arriving in town, 1545.

Examination as to returns from seneschal of Dungarvan, 1554——Hardship of a case where a vessel was seized for debt under attachment where the debtor was only part owner, 1559——Shopkeepers and respectable persons prefer the assistant barrister's court, 1561——Seneschal of Dungarvan is a very fair, intelligent, and impartial man, 1567——Seneschal's court more expensive that the assistant barrister's; examination to that point, 1569-1590——At present no persons practise in the court who are not sworn attornies; the present seneschal will not allow the former practice of persons not being solicitors conducting cases, 1592-1595——Once in three months is sufficient often for a court to be held for the recovery of small debts, 1601——Extent of district in the new division of the quarter sessions court of Dungarvan, 1602-1605——Further hardships of attachments, 1610——Butter, fish and other perishable articles have been seized under attachment, 1612——Attachments cannot issue unless the debt is over 40*s.* Irish, 1630.

Manor courts should be abolished altogether, 1615——If continued, practising barristers should be appointed seneschals, and more power given them, 1617——Magistrates might be empowered in cases of small sums, 1621-1623——Cases approaching 40*s.* should be tried altogether by the assistant barrister, 1625——Without a jury, before the assistant barrister, 1626——Neither should there be any jury in the case of magistrates' decision of small debt cases, 1627——Extending the power of magistrates better than the existence of seneschals, 1629——Same form of summons and of proceeding before magistrates for debt cases, as in wages cases at present, recommended, 1632.

Bail. Some seneschal's may inquire minutely as to bail, but they have little power, *Hetherington* 377——Witness has known many cases in which bail has been procured for hire, *Hetherington* 403——Suggestions for improvements in the Manor Court Act which would prevent persons giving bail where there was not reasonable cause, and in a great measure prevent bad bail, *Hetherington* 414——Description of the system of bail in cases of appeal at quarter sessions courts, *Hetherington* 410.

See also *Appeal Bonds.* "*Stag Bail.*"

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Bailiffs. Interference of bailiffs with juries, which has often more weight than the oaths of respectable witnesses, *Cullinan* 747.

Ballaghy. The court at, has no jurisdiction beyond 2 *l.* Irish, *Crawford* 1894.

Ballyconnel. Court at Ballyconnel invariably held at a public-house, *Cochrane* 1346——A disorderly court, *Cochrane* 1361.

See also *Attachments*, 5. *Jurisdiction*, 2. *Juries*, 4.

Ballylinney. Case of a farmer named Gawley, who was imprisoned on an affidavit for debt, issued from the manor court of Ballylinney, *Hetherington* 225. 231–253.

See also *Juries*, 4.

Ballylongford. Case at Ballylongford where a man was on a jury who could not speak a word of English, though the evidence was in that language, *Leonard* 865.

See also *Juries*, 4. *Jurisdiction.*

Ballymacaret. See *Juries*, 4.

Barristers. If manor courts are continued, practising barristers should be appointed, and more power given to them, *Bagge* 1617.

Barristers and Attornies. Seneschals should not be precluded from practising if of the legal profession, *Leonard* 1208——Evidence as to the expediency of barristers and attornies practising in districts in which they preside over courts, *Leonard* 1216–1231.

Barron, Mr. Case of Mr. Barron; in which the seneschal of Dungarvan issued an attachment on an affidavit of debt, *Bagge* 1530.

Barry, James. (Analysis of his Evidence.)—Solicitor. Seneschal of four manor courts in Tipperary, 1901, 1902——Jurisdiction of the courts of Caher, Castlegrace and Rehill, with Ballybooby, is 5 *l.* Irish upon book debts, and 10 *l.* upon bills of exchange, 1921, 1922——And to the extent of 40 *s.* on trespass to land, 1926–1929——Process of these courts for the recovery of book-debts, 1937——These courts have no power of attachments, except in execution, 1940——When a verdict has been had, execution is against the goods of the defendant alone, not against the person, 1967——There is no proceeding either by attachment or summons to compel the appearance, or by execution against the person, 1968.

[Second Examination.]—Witness always gives three clear days' service before the holding of each court, and the summons is dated seven days, 2111——Court of Rehill held in a tenant's house, by direction of Lord Glengall, 2116, 2117——Practitioners generally attornies; sometimes barristers have conducted cases, 2124, 2125——No person beneath the rank of attorney allowed to practise in witness's court, 2126——No regular fee to be taxed by a seneschal for attendance of an attorney, 2127——Evidence in explanation of costs in witness's courts, 2130–2152——Witness has no salary, 2153——Further examination as to costs and fees, 2154–2164——Bailiffs in witness's jurisdiction can only go against the goods, not the person, 2167——Except under particular circumstances, witness does not allow any but bailiffs appointed by him to execute decrees, 2169–2173——Power of seneschal under 7 & 8 Geo. 4, c. 55, to examine plaintiffs in cases under 40 *s.*, 2184——Further evidence as to costs, 2220–2228——Better regulation of the assistant barristers' courts within the last 10 or 12 years has tended to increase the respectability of the practitioners, 2233.

Witness acquainted with the court of Clogheen, or Everard's Castle; seneschal Mr. O'Brien; on Lord Lismore's estate, 2240——Very few appeals from witness's decisions, 2248——Witness requires persons who lodge appeals to give security, 2251——No difficulty in keeping good order in the court, 2254——General feeling of assistant barristers and attornies against manor courts, 2256——Riot at Roscrea on enforcing a seneschal's warrant; conduct of a barrister calling for the patent of the seneschal, and dismissing the cause on refusal to produce it, 2256——Reasons why appeals must remain with the judge of assize, 2258——Securities allowed to be taken for small debts, to be paid by weekly instalments, by seneschals, 2269——Witness's emoluments about 200*l.* per annum, 2270——Further evidence, costs, and fees, 2271, 2276——Witness's court is constituted a court of record by the charter, 2283.

Witness acquainted with the court of Michelstown, which is a very respectable court; Mr. Montgomery is the seneschal, 2285——Further examination as to comparative expense of manor courts and quarter sessions, 2292–2298.

Belfast. Evidence as to class of persons practising in this court; persons not attornies now prohibited from practising, *Hetherington* 391-394——Attornies practise in the Belfast court, as well as a class of persons called agents or writers, *Hetherington* 314——These agents pay 3*l.* for a licence, which is called a procurator's licence, *Hetherington* 315——Any man taking out a licence, and paying fees to seneschal, may practise in the Belfast manor court, *Hetherington* 323.

See also *Agents*, 2. *Appeals*, 3, ii. *Combinations. Jurisdiction. Quarter Sessions.*

Bonds. See *Appeal Bonds.*

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Boundaries of Manors. Persons sometimes processed in the Listowel court who were not in the manor, *Leonard* 536.

Brady, Mr., of Raheens, has manorial rights in Clare, *Cullinan* 624.

Bridgman, Mr. Case of Mr. Bridgman, against whom a distringas was issued on the suit of a shoemaker, claiming a debt from Sir J. De Burgho, late husband to his wife, *Cullinan* 796.

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Caher. This court is constituted a court of record by the charter, *Barry* 2283.

See also *Appeals,* 3. ii. *Jurisdiction,* 2.

Carlow. In this county there are no manor courts, *Mathews* 959.

Castlebar. Mr. O'Mally, Lord Lucan's agent, seneschal of this manor court, *Macdonnell* 1974.

Castlebar and Westport. Emoluments of such manor courts not sufficient to induce gentlemen to take the office, *Macdonnell* 2103.

Castledawson. Extent of manor; amount of jurisdiction; population, *Crawford* 1648—— Cases tried at Castledawson are for cash, goods sold and delivered, and upon bonds and promissory notes, *Crawford* 1723.

See also *Affidavits,* 2. *Attornies,* 2. *Juries,* 4. *Jurisdiction,* 2. *Seneschals,* 5.

Castlegrace. See *Juries,* 4.

Castlemore. Rev. Mr. Seymour is seneschal of this manor court, *Macdonnell* 1980—— Administration of justice in this court gives general satisfaction, *Macdonnell* 2025.

See also *Juries,* 4. *Provisions.*

Cavan. There are many districts of Cavan over which no manorial jurisdiction extends, *Cochrane* 1480.——*See* also *Quarter Sessions.*

Church, Mr. Formerly seneschal of Listowel; was in the habit of processing persons for arrears of tithe to Messrs. Stoughton, whose steward the seneschal happened to be, *Leonard* 884.

Civil Bill Cases. Fees received in civil bill cases at Belfast; quality of persons allowed to practise, *Hetherington* 327.——*See* also *Process.*

Clanmorris. There is no manor court in the barony of Clanmorris, *Macdonnell* 2086.

Clare County. Some manor courts in this county held in empty houses or public-houses, *Leonard* 1017.

Clare and Clonroad. Colonel O'Brien's courts are always held in public-houses, *Cullinan* 682——Manner in which Colonel O'Brien manages the meetings of his court, *Cullinan* 637.——*See* also *Seneschals,* 5.

Clerks of the Peace and Clerks of the Crown. Difficulties of procuring Parliamentary returns; complaints that there is no remuneration for the work, *Mathews* 958.

Clogheen. Witness acquainted with the court of Clogheen or Everard's Castle; seneschal Mr. O'Brien; the manor on Lord Lismore's estate, *Barry* 2240.

Clonkine and Cortubber. This court is held at the market-house of Killesandra *Cochrane* 1375.

Cochrane, Thomas. (Analysis of his Evidence.)—An attorney at Ballyconnel in Cavan, 1261-1263——Witness is acquainted with the manor courts of Gwilliambrook, Clonkine and Cortubber, 1269——Also acquainted with the court of Laggan, 1271——Jurisdiction of Ballyconnel extends to 5 *l.*, 1278——Case in which witness took proceedings against a plaintiff in Ballyconnel court, 1283——Evidence as to attachments, and proceedings thereon, 1319——Course of the Swallinbar court ceasing to exist, 1327——The people generally glad of its cessation, 1339——Manner in which the business is now transacted by a court called an Estate court, 1342——Court at Ballyconnel invariably held at a public-house, 1346——A disorderly court; whenever a party got a decree, he was obliged to pay for whiskey, 1362——Jury were never summoned, 1368-1370——Amount of costs, 1371——Witness acquainted with the courts of Clonkine and Cortubber, 1374—— This court held in the market-house at Killesandra, 1375——Assistant barrister's court preferred by the inhabitants, 1385. 1393——Hardship to persons being brought from a considerable distance from want of subdivisions in the courts of Cavan, 1397, 1398.

There is only one seneschal who is a county magistrate, that is Mr. Powell, seneschal of the manor of Coranary and Cootehill, 1415——The court is held in a public-house, 1416——Complaints of the costs in that court, 1417——Irresponsibility of seneschal; actions

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Cochrane, Thomas. (Analysis of the Evidence)—*continued.*

actions for damages cannot be maintained against them by civil bill, 1433——Manor court of Purnar and Doobally, situated below Ballyconnel, 1441——At present no seneschal to this court; on the death of last officer no other appointed, 1444——Complaints of manor courts not likely to be forwarded to Government; seneschals are the local officers of the lord of the manor, 1451——The people in the neighbourhood complained much of their goods being taken off by writs of distringas, 1453——Local courts when properly held and conducted are a very great convenience, 1459——The majority of cases tried at manor courts for debts are generally of more than three months' standing, therefore quarterly courts are sufficient for their recovery, 1461-1464——Attachments are productive of the greatest hardship where the party is not residing within the manor, 1465——At Killesandra an affidavit now required on issuing an attachment, 1467——Latterly also at the court of Gwilliambrook, 1469——The courts of quarter sessions are now quite sufficient for the recovery of small debts now they have been extended, 1479——There are a great many districts of Cavan over which no manorial jurisdiction extends, 1480——Jurisdiction of the court of Manorhamilton, 1488——Evils of appeals, 1485——Amount of jurisdiction of seneschal's court at Manorhamilton, 1000*l.*, 1488.

"*Collop.*" Variation of the value of the term in different manors, *Leonard* 1198.

Combinations. System pursued in processes for money due to publicans in Belfast from secretaries of societies, who have been acting for workmen who had combined for illegal purposes; juries in these cases have given verdicts for publicans against the summing up of seneschals, *Hetherington* 482.

Compensation. If manor courts were abolished compensation should be given to seneschals, *Leonard* 1245.

Complaints to Government. Frequently see complaints from parties aggrieved by decisions of manor courts, *Mathew* 924——Complaints of manor courts not likely to be forwarded to Government; seneschals are the local officers of the lord of the manor, *Cochrane* 1451.

Cole, Mr. High character of Mr. Cole, seneschal of St. Sepulchre, who has always used his best efforts to put an end to the practice of attachment, *Hetherington* 287.

Coronary and Cootehill. Seneschal of this court, Mr. Powell, is the only seneschal in Cavan who is a magistrate, *Cochrane* 1415——The court is held in a public-house, *Cochrane* 1416.

Costs:

1. *Generally.*
2. *In particular Manor Courts.*

1. *Generally:*

Costs in attachment cases are now too high, *Macaulay* 199——It might possibly have the effect of preventing the frequency of appeal if the provisions for the costs were made efficacious, and the affidavit of the party dispensed with, *Leonard* 1166——Seneschals' courts more expensive than assistant barristers; examination on that point, *Bagge* 1569-1590——Examination as to the expenses of a suit in a manor court, *Bagge* 1538.

2. *In particular Manor Courts:*

Caher and Rehill.—Evidence in explanation of costs in those courts, of which witness is seneschal, *Barry* 2130-2152, 2154-2164, 2220-2228, 2271-2276. 2292-2298.

Castledawson.—Evidence as to fees and payments in this court, *Crawford* 1767-1803, 1822-1836.

Kilrush.—Costs of a jury, and of causes without juries, *Leonard* 1061.

Courts Leet. Business of courts leet; formerly they took upon themselves the functions of the legislature with regard to the law for the recovery of small debts within a manor, *Leonard* 1196——In courts leet the jury is composed of the most substantial farmers about the country, who are always very punctual in their attendance for their own sakes, *Leonard* 1202, 1203.

Cow-Stealer. Means by which a cow-stealer escaped conviction by means of a distringas, *Cullinan* 783, 784.

Crawford, Samuel D. (Analysis of his Evidence.)—A flour miller, 1637——In the town of Castledawson, 1638——Seneschal of the manor of Castledawson, 1639——Jurisdiction extends to 20*l.*, 1642——The extent of the manor about six miles by five, 1648——The population about 800; employed principally in the cotton and linen trade, 1652——Court held once a month at the inn, 1653——The jurors consist of respectable freeholders, 1656-1659——Witness does not think seneschals can enforce attendance; there should be a fine for non-attendance, 1660-1662——Average amount of cases each court day

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Crawford, Samuel D. (Analysis of his Evidence)—*continued.*

about 15, 1670——Magherafelt quarter sessions are held at a short distance from the manor, 1676——The manor of Salters, which carries a very small jurisdiction, viz. 1 *l.* 16*s.* 4*d.* is in the neighbourhood also, 1685——The juries in witness's court are sometimes challenged; sit at a separate table; hear all causes without retiring; give their verdicts altogether, 1694–1712——Verdicts of the juries give general satisfaction, 1713——Cases which come into witness's court are for cash, goods sold and delivered, and upon bonds or promissory notes, 1723.

Power of imprisoning, lost in witness's manor court, useful, if it could be recovered, 1727——Mode of trial in witness's court, 1735–1754——Great advantages in the present mode of issuing attachments against goods, 1755——Affidavits of debt are always required before attachments are issued, 1756——Attornies practise in witness's court; he would not allow others, 1763——Evidence as to fees and payments in witness's court, 1767–1803——Appointment of witness for life by Mr. G. Dawson, in consideration of surrendering the customs of the fairs and markets of Castledawson, 1807–1813——Evidence as to fees and emoluments, 1822–1836——Witness receives no fees in the shape of leet money from tenants, 1837——Appeals now made for the purpose of gaining time, 1841——Before appeals are entered, attornies or respectable persons should make affidavits that there was just grounds for appeal, 1841, 1842——Appeals should be tried more frequently than at present, 1848——Witness would prefer appeals being tried before judges of assize rather than quarter sessions, 1860——Ballaghy, Moneymore and Magherafelt have no jurisdiction beyond 2 *l.* Irish, 1894.

Creditors. In doubtful cases creditors prefer manor courts to quarter sessions; publicans invariably prefer manor courts, *Leonard* 588.

Creighton, Mr. Court established by him on his estates, which gives great satisfaction to the tenantry, *Cochrane* 1338.

Cullinan, Michael. (Analysis of his Evidence).—A solicitor; resides in Dublin and Ennis, 617, 618——Acquainted with many manor courts in the neighbourhood in which he resides, 622——Names of courts in Clare and of seneschals, 624——Manner in which Colonel O'Brien manages the meetings of his court, 637——His plan intended for the convenience of suitors, 641——The court is held in different parts of the united manors of Clare and Clonroad, 643——Local jurisdiction of courts generally very ill defined, 644——There are no courts in Clare held by prescription, 646——The most constant cause of the reversal of seneschal decrees has been their inability to prove their jurisdiction, from the names of places having been changed, 649–672——Many landlords have maintained manorial rights, when estates are held by others in fee-farm-rent, 675——In cases of jurisdiction seneschals pay no attention to the decisions of judges, but the contrary, 677——Colonel O'Brien's courts are always held in public-houses, 682.

Rooms are procured at public-houses for nothing, 684——Loose manner in which juries are formed in these courts, 687——The seneschals have power to enforce fines on persons not attending juries when summoned, but the proceeding would be held in very bad repute, 688–692——Process by distringas held in great dislike, 692——It would be a great improvement if parties were obliged to convince the court that there was danger of the loss of the debt by parties leaving, prior to issuing a distringas, 697——Shopkeepers in the town of Ennis have not resorted to the manor court since the quarter sessions were established, 698——The seneschal of Ennis court has been struck off the list of magistrates on account of becoming insolvent, 699–703——Juries in this manor court under no control, 705——In all cases where the sum sought is under 5*s.* there is no jury at all; they act as in a court of conscience, 709——The decrees of those seneschals are in nine cases out of ten reversed on appeal, 712, 713——Appeals would be more numerous if seneschals did not throw every difficulty they could in the way of lodging appeals, 715, 716.

Since seneschals' decrees have been reversed on account of there not having been a full jury, greater attention has been paid, 729——Class of persons who attend seneschal's juries not respectable, 732——Respectable persons would not attend them, 733——Juries not separated in the public-house rooms from witnesses and bye-standers; seldom retire; give their verdict unhesitatingly, 734–740——Respectable attornies do not practise in the court, 744——Description of persons who do practise, 746——Interference of bailiffs, which has great weight with juries, often more so than the oaths of respectable witnesses, 747——Witness has seen jurors who could not speak English, 748——A common habit to treat jurors to drink, 750——A constant practice for seneschals to promise the jury drink when the business of the court shall be finished, 753——Seneschals unable to keep regularity; often outrages in court, 754–759——Disputed point whether a lord of a manor can remove a seneschal, 763–765——Great difficulty in lodging appeals against seneschals, from the obstacles they are able to throw in the way, 767–772——It would be a great improvement if the trial of appeals from the manor courts was given to the quarter sessions, instead of the judge at assize, 773——Plaintiffs in these courts generally persons of bad character, 774.

Seneschals have direct interest in the quantity of business done in their own court, 775——Courts are called plaintiffs courts, 780, 781——Unfair results from the practice of attachments,

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Cullinan, Michael. (Analysis of his Evidence)—continued.

attachments, 782——Means by which a cow-stealer escaped conviction by means of a distringas, 783, 784——Case of Mr. Bridgman, against whom a distringas was issued on the suit of Maher, a shoemaker, claiming a debt from Sir J. De Burgho, late husband to his wife, 796——A constant practice when an attachment is obtained to run away with the goods of the defendant without obtaining a decree, and sell them, 797——Quarter sessions a better means for justice, and affords sufficient means of litigation, 801——It would be far preferable to have the opinion of an intelligent judge, than to refer small debts to juries, 803-806——Four times a year sufficiently often to decide all debt cases, 813——An appeal should be allowed from the quarter sessions court to the judge of assize, 815——The amount of jurisdiction in manor courts in Clare is 10*l.* Irish, 817——Seneschals courts should be abolished altogether; the court of quarter sessions sufficient for the wants of the country, 818.

D.

Debts, Small. Annoyance occasioned by vexatious summonses to considerable distances in small debt cases, *Macaulay* 108-114——Witness favourable to the maintenance of courts for the recovery of small debts; objections to their present defective constitution, *Macaulay* 118——It would be preferable to have the opinion of an intelligent judge rather than refer small debt cases to juries, *Cullinan* 803——Four times a year would be sufficiently often to decide all debt cases, *Cullinan* 813——Sufficient means for the recovery of small debts through the quarter sessions courts, *Leonard* 892——In all cases of debt at Kilrush, the seneschal decides himself, unless the demand be opposed, *Leonard* 1052——Grounds on which it would be most mischievous to give magistrates the power of settling small debts, *Leonard* 1212, 1213. 1240——It would be very desirable to extend the jurisdiction of small debt courts to districts in which manor courts do not exist, *Leonard* 1259——Majority of cases tried at manor courts for debts are generally of more than three months standing, therefore quarter sessions courts are sufficient for their recovery, *Cochrane* 1461-1464——Courts of quarter sessions are quite sufficient for the recovery of small debts since they have been extended, *Cochrane* 1479——Once in three months is sufficiently often for a court to be held for the recovery of small debts, *Bagge* 1601——Securities allowed to be taken for small debts to be paid by weekly instalments by manor courts, *Barry* 2269.

See also *Magistrates. Plaintiffs. Summons.*

Decisions of Magistrates. It is only for the last few years that Government have inquired into magistrates' decisions; the right to do so doubtful, *Mathews* 965.

Decrees, Execution of. Except under particular circumstances witness does not allow any person but bailiffs appointed by himself to execute decrees, *Barry* 2173.

Decrees and Dismisses. A return of the number of decrees and dismisses signed by the seneschals or stewards of the several manor courts in Ireland, *App. p.* 139.

Dismiss. Cases in which witness has obtained a dismiss without the presence of the plaintiff, *Leonard* 1069——There is no appeal from the dismiss of a seneschal, *Leonard* 1082.

Distringas. Affidavits on writs of distringas should be lodged with the clerks of the peace, *Leonard* 1206——In issuing a distringas an affidavit is required by law, but witness considers that in courts he is acquainted with it is frequently dispensed with, *Leonard* 1169—— People complain of the hardships of writs of distringas, *Cochrane* 1453.

See also *Affidavits,* 1.

Doagh. The court of Doagh held at an inn, *Macaulay* 96.

Donore. In Mr. Kelly's courts of St. Thomas and Donore no attornies are allowed to practise who are not enrolled in that court, *Hetherington* 302.

Dublin. There are four manor courts in Dublin, all held by barristers, *Mathews* 962.

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Clare.—In all cases where the amount is under 5*s.* the case is decided by the seneschal, *Cullinan* 709.

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Dungarvan.—The seneschal of Dungarvan is a very fair, intelligent, and impartial man, *Bagge* 1567.

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V.

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W.

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REPORT

FROM THE

SELECT COMMITTEE

ON

PAWNBROKING IN IRELAND;

TOGETHER WITH THE

MINUTES OF EVIDENCE,

APPENDIX AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
3 *August* 1838.

Jovis, 3° die Maii, 1838.

Ordered, THAT a Select Committee be appointed to inquire into the Laws and Regulations which affect the Trade of Pawnbroking in Ireland, and their practical operation; and to report to The House whether any, and what, alterations may be advantageously adopted therein.

Veneris, 4° die Maii, 1838.

And a Committee is nominated of—

Lord Viscount Clements.	Mr. Corry.
Lord Viscount Morpeth.	Mr. Redington.
Mr. Emerson Tennent.	Captain Meynell.
Mr. Hutton.	Mr. William Roche.
Mr. John Young.	Lord Viscount Adare.
Mr. Ponsonby.	Sir Montagu Chapman.
Mr. Lucas.	Sir William Somerville.
Mr. Beamish.	

Ordered, THAT the said Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the said Committee.

Lunæ, 7° die Maii, 1838.

Ordered, THAT the Returns relating to Pawnbrokers, presented on the 26th of April last, be referred to the Committee.

Veneris, 25° die Maii, 1838.

Ordered, THAT the Petitions of Matthew Barrington, presented on the 12th December, of Clothes Brokers of Limerick and of Pawnbrokers of Limerick, presented on the 11th April, be referred to the Committee.

Veneris, 3° die Augusti, 1838.

Ordered, THAT the Committee have power to report the Minutes of the Evidence taken before them to The House.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the LAWS and REGULATIONS which affect the Trade of PAWNBROKING in *Ireland*, and their practical Operation; and to report to The House whether any and what Alterations may be advantageously adopted therein; and to whom several Petitions were referred; and who were empowered to report the MINUTES OF EVIDENCE taken before them to The HOUSE;——HAVE considered the matters to them referred, and have agreed to the following REPORT:—

YOUR COMMITTEE conceive that there exists a necessity for placing the business of Pawnbroking under some legal restrictions, which may be classed under two separate heads. The first of these relates to the prevention of theft and the recovery of stolen goods; the second refers to the desirableness of affording a cheap, prompt and efficacious mode of redress to those poor persons who have parted with their property in pledge, under certain conditions, in order to raise money, and who may be aggrieved by the non-execution of the several engagements under which it was given.

Although Your Committee have considered the former branch of inquiry attentively, they have not thought it necessary to take much evidence thereon; as that interesting subject may probably be more fully and more advantageously investigated by the improved police of the larger towns, than by a Committee of the House of Commons.

Nor have they thought it desirable to seek for much evidence as to detailed cases of hardship which might be brought forward, in which poor persons may have been defrauded by Pawnbrokers. Each individual case of that kind which might be stated must be thoroughly investigated before it could be considered as established; and after it had been proved, at a considerable sacrifice of time and expense, it would probably be alleged to be but a solitary instance of misconduct, which ought not to prejudice the general character of the whole trade.

But so much attention has been directed latterly in Ireland to the general inefficiency of the law, to the open neglect of its provisions, to the disreputable character of many persons engaged in the trade, and to the hardships with which they treat the poor persons who have placed themselves in their power, that Your Committee have wished to confine their attention more closely to a consideration of the Acts by which the business of Pawnbrokers is regulated in that part of the kingdom, and to the general practice of the trade which has arisen under these Acts. And in doing this they have sought for evidence from among the Pawnbrokers themselves, which will be found in the Appendix to this Report, and which proves, in the opinion of Your Committee, from their own statements, how desirable it is that the laws affecting them should be speedily amended.

Object of the existing Law in England and in Ireland.

The object of the law, as between the Pawnbroker and the Pledger, seems to be similar in England and in Ireland, and may be stated shortly as follows :—

1. To insure to the Pledger a ticket or duplicate, which will identify his property.

2. To vest the property of the pledge in the person producing the duplicate.

3. To enable the Pawnbroker to make a specified and limited charge for the duplicate, and to demand a certain maximum scale of interest when the goods are released, in lieu of all other charges for warehousing, risk of loss, &c., which rate of interest varies according to the sum lent, and which is proportionally higher on small than on large sums. (It must be observed, however, that the scale of interest, as authorized by the Irish Pawnbrokers' Act, is much higher than that which is allowed in England.)

4. The Pawnbroker is further allowed to realize the principal sum lent, and the interest due thereon, by the sale of the pledge at the expiration of a certain period, if the goods be not previously redeemed.

5. Certain regulations are enacted to compel the Pawnbroker to refund to the Pledger any overplus which the unredeemed pledge may have realized on sale, after he has deducted the charge which is due to him on the goods ; as it was not in the contemplation of the Legislature, either in England or in Ireland, that the goods should become the absolute property of the Pawnbroker when forfeited.

In enumerating the evils which have arisen from the inadequacy of the present law to enforce its own provisions, it must be stated that they are not equally apparent in every town in Ireland ; nor is every Pawnbroker to be considered equally culpable for his non-compliance with the terms of the Acts.

If the law prescribe certain regulations respecting the hours of doing business, the rate of interest, the sale of forfeited pledges, &c. ; and if the mode of enforcing compliance with these regulations be insufficient to obtain the desired object, the wilful violators of the law are able to make profits by that violation, which may compel the remainder of the trade, in certain districts, gradually to adopt similar evasions ; and it is probable, also, that the notorious evasions of the law must prevent many respectable people from entering the trade and exposing themselves to the risk and obloquy attendant upon such practices, though the character of such persons, if they were to undertake the business, would be the best safeguard of the interest of their poor customers.

It has been principally owing to Mr. Matthew Barrington, of Limerick, that the subject of pawnbroking has attracted the attention which is at present directed towards it in Ireland.

That gentleman, whose family is well known for the benevolent interest they take in the condition of the poor, has put himself to very considerable trouble and expense, with the laudable motive of endeavouring to rectify what he considered a serious grievance to the poor. After sending over persons to study the practical operation of the French system of pawnbroking at the Mont de Piété at Paris, he has established an institution of a somewhat similar nature at Limerick, where the charges are lower than those usually made in Ireland, and where the profits (if any) are to be devoted to the support of an hospital founded by his family.

The evidence relating to this institution, contained in the Appendix, will be found of a most interesting character. Too much praise cannot be given to its philanthropic founder for the zeal, labour, time and expense which he has devoted to the thankless task of opposing the existing system of the Pawnbrokers ; and though Your Committee have not adopted Mr. Barrington's views on many of the points connected with the subject, as detailed in his evidence and in his petition, they have derived most valuable information and assistance from that gentleman, as well as from Mr. Douglas, the secretary, and from Mr. Haynes, the able manager of his establishment.

An explanation of the principal defects of the present law will be best made by considering them separately under the following heads:— Defects of the Law.

1. The imperfect description of Books kept by the Pawnbrokers, and by the Auctioneers of forfeited Pledges. 1460. 1509, *et seq.* 1060, *et seq.*

2. The insufficiency of the present Duplicates. 228, *et seq.*

3. The high rate of Interest, and the Overcharge above that which is allowed by law. 163, *et seq.* 670, *et seq.* 939, *et seq.*

4. The insufficiency of the present Notices of Sale of forfeited Pledges, and the very unsatisfactory nature of the Sale, as far as the interests of the Pledger are concerned. 44, *et seq.* 269. 805, *et seq.*

5. The difficulty which the Pledger finds in recovering any Overplus which may be obtained on the Sale, after satisfying the lawful charges of the Pawnbroker. 306, *et seq.* 683, *et seq.* 789, *et seq.*

6. The evasion of the Penalties, and the inutility of the present system of giving Security. 18, *et seq.* 330, *et seq.* 894, *et seq.* 2252, *et seq.*

7. The absence of any Inspection or Control. 137, *et seq.* 332, *et seq.*

1. *The imperfect description of Books kept by Pawnbrokers, and by the Auctioneers of forfeited Pledges.*

The disputes which arise between the Pawnbroker and the Pledger relate generally to an overcharge of interest; to the loss, identity or damage of the pledge; or to the pledge being sold before the stipulated time for releasing is expired. To give a satisfactory decision on these points, the Magistrate must order the Pawnbroker to produce his books; but these are kept in such a very unsatisfactory manner, and the entries are frequently so unintelligible that they afford no sufficient information except to the person who has written them, and seem to be never altogether sufficient as a record of the transaction. 212.

Again, if the duplicate should be lost, the owner is allowed by law to make affidavit of the fact,—to prove his property in the goods to the satisfaction of the Magistrate, and to obtain a fresh duplicate wherewith he can release his pledge. If this should be done for the purpose of fraud, a fresh set of questions comes to be tried whenever the holder of the lost duplicate appears to claim the property, none of which can be satisfactorily decided unless the original record of the transaction should be both legible and sufficient. A general power given to Magistrates to order the production of books, which may be purposely kept in an insufficient manner, is of very little avail.

Again, the time of redemption may have expired, but the goods may not have been sold,—or if sold, a surplus may have been realized,—in neither case can correct information be insured unless reference is made to the Auctioneer, whose books should be kept in such a manner as to enable him at once to corroborate or to refute the assertion of the Pawnbroker. The evidence shows that many of the Pawnbrokers at Belfast send their forfeited goods to public auction, where each lot is sold separately, and where the number on the duplicate is usually marked in the Auctioneer's sale-book, so that each lot *so marked* can be identified by the Pledger; but in Dublin this necessary information is never afforded by the Auctioneer's sale-book, which constitutes no check whatever upon the Pawnbrokers; while in Cork and the other towns of Ireland, as far as the evidence goes, there seems to be no sale-book kept by the Auctioneer for public inspection.

It is almost needless to remark what an important document the Pawnbrokers' day-book would become in tracing stolen goods, if the officers of police could examine it with confidence as containing a true catalogue of their transactions; and if the Pawnbrokers were made amenable for taking in goods without entry, or with a wrong or illegible description. Stolen Goods.

2. *The insufficiency of the present Duplicates.*

The duplicates given by the Pawnbroker at present contain usually his name and address in print, to which is added in writing the number put upon the goods in the ware-room, and the date of the pledging, together with an abbreviated description of the goods, and the sum lent thereon; but exception is very justly taken in the evidence to the inadequate size of the paper given, which renders it very liable to be lost.

127, *et seq.*, 228, 229. 675.

The loss of the duplicate, owing to its insufficient size, though apparently a very trifling matter, must of necessity lead to the greatest irregularities and hardships.

And if several articles pawned together, there cannot be room in such very small compass to specify separately each of the articles pawned, which are frequently entered as "Sundries."

The duplicates contain no information as to the charge for interest which will be incurred, nor is this at present required by law. They sometimes contain a general notice to the Pledger, in print, that the pledge will be sold at the expiration of six, nine or twelve months, if not sooner redeemed. This notice, however, is not binding upon the Pawnbroker; and it is looked upon by both parties only in the light of a general caution, not as a peremptory notice. The unredeemed pledges are often kept much longer than the specified time, according to the convenience of the Pawnbroker, or as the best season for disposing of them to advantage may arrive.

When the duplicate is brought back to the shop, and when the pledge is released, the duplicate is often immediately destroyed by the Irish Pawnbroker, in order effectually to prevent its getting into the hands of any other person. This practice is obviously wrong, for, if the duplicate should previously have got into the hands of an improper person, if the goods have been released by him, and if the Pawnbroker should be summoned before the magistrate by the rightful owner to answer for his refusal to give a fresh ticket, the production of the original duplicate constitutes the only satisfactory proof of the truth of the Pawnbroker's assertion, that the goods have been already released. In England the Pawnbrokers are compelled, accordingly, to preserve the duplicates of all released pledges for one year.

1126.

Much attention has been excited in Ireland to the legal charge of 1 *d.* for every duplicate given by the Pawnbroker on loans of small sums, and the extravagant profit which is supposed to be made by this branch of the business has occasioned considerable discussion in the public newspapers; but it should be borne in mind, that the receipt and delivery of each pledge occasions a certain portion of work, which neither varies with the time which the pledge remains in store, nor with the amount of the sum lent. The examination and valuation of the goods; bargaining with the pledgers who may come to the counter; writing out the duplicate; entering the same in the day-book; copying and affixing the label; carrying the goods to the store-room; seeking them out when released; carrying them down and delivering them to the pledger; are operations which may not materially vary in different transactions, and which, if properly and honestly performed, and if the duplicate be sufficient for the purpose for which it is designed, may be properly repaid by a separate and fixed charge.

In England the law permits no charge for duplicates on loans under 5 *s.*; but there seems no sufficient reason for this restriction, as some payment for the labour above detailed must be required, and it would appear equitable that the charge should be made, and the profit should arise *bonâ fide* upon each transaction in proportion to the service rendered.

At the Mont de Piété at Limerick, no charge is made for the duplicate; but Mr. Barrington states that the interest of $\frac{1}{4}$ *d.*, which is all that is received for loan of 1 *s.* 11 *d.*, when the pledge remains in the establishment one month, is not sufficient to remunerate the labour required in passing it through the books. This seems strongly to prove the advantage of charging some unvarying sum upon

upon the duplicate; nor does there appear any good reason for charging for duplicates, as in England, when the loan amounts to 5*s.*, which does not equally apply to loans of smaller sums.

The present Act entitles the Pawnbroker to increase his charge for duplicates, from 1*d.* to 4*d.*, according to the amount lent; there seems to be no sufficient reason for charging more for the duplicate in a large than in a small loan.

3. *The high scale of Pawnbrokers' Interest, and the Overcharge above the rate which is allowed by law.*

Before entering into any statements of the law and practice under this head, it may be desirable to advert slightly to some of the considerations which must determine the profits derivable from the interest taken by Pawnbrokers.

1. The amount of capital which can be profitably invested in small loans, must be liable in some towns to very great fluctuations. In Ireland the loans are eagerly sought for in summer, when provisions are scarce, the redemptions being more numerous in winter when prices are low, and when the Pawnbroker has much of his capital consequently thrown upon his hands; but, independently of these fluctuations, there must constantly be a very considerable amount of a Pawnbroker's capital lying idle in his drawers, and the moment when it may be returned to him does not admit of being accurately calculated; so that, from these considerations alone, in order to insure a profit, the interest of the capital, while actually employed, must necessarily be higher than on ordinary loans, and the absence of these considerations has produced on the part of many theoretical reasoners very fallacious calculations and conclusions. It will also be remembered that the charge of interest includes also the cost of warehousing, which must and should vary according to the time during which the goods are kept.

2. The superintendence and supervision required is unusually minute; and as the wants of a small circle must limit the amount of capital employed in one shop, it becomes necessary, in order to invest a larger sum in the business (where no monopoly is created by law), to open several different shops, in different quarters of a town, whereby the inspection becomes still more complicated and difficult, which counterbalances the advantages usually derived from increased capital. Add to this the many annoyances to which a Pawnbroker is subject from the nature of his business, and it will not be supposed that a very wealthy class of tradesmen are likely to engage in the trade, or that very large capitals can be advantageously brought to bear on the current rate of charges, in order to reduce them.

3. But the principal and most difficult consideration, in calculating the amount of profit derivable from the high rate of Pawnbrokers' interest, consists in the risk which the Pawnbroker incurs in the sale of those pledges which remain in his hands unredeemed. They almost always deteriorate considerably in value while in his possession; and too large a sum is often advanced upon them; in either case the loss he thus incurs must be set against the profit which he makes on those articles which are released.

In order to obtain the full profit which the Pawnbrokers are supposed to make, the sum advanced on each individual pledge should be considerably below the saleable value of the article; so that if it should become forfeited, at the expiration of a given time, the Pawnbroker may realize at the sale the full amount of the debt *and charges* due to him thereon.

At the period of the sale, the original debt has become larger, but the value of the goods has usually become less than when they came into his hands. Those forfeited pledges which sell for more than the debt, are supposed to yield him no extra profit, as the overplus in that case ought, by law and by right, to accrue to the Pledger,—whereas the loss (if any be incurred) must fall on the Pawnbroker. But it is evident that, where a brisk competition for business exists, the Pawnbrokers will, in many instances, speculate upon the redemption of the

article; and provided the sum lent be below the value which the goods bear to the owner, the Pawnbroker, expecting them to be redeemed, will run the risk of a loss of profit, or even of a loss of some portion of principal on the sale of his unredeemed pledges, in order to obtain the profit which is derived upon those which are released. Each Pawnbroker endeavours to obtain business by advancing more liberally than his competitor upon the articles offered to him.

If the rate of interest be low, the Pawnbroker must endeavour to secure the full amount of profit which that interest will permit, upon every single transaction which he undertakes, and must limit his loans to such a proportion of the value of each pledge as will insure his full profit, whether the goods be released or forfeited.

Whereas, if the scale of interest be high, the competition of the different members of the trade to obtain business, and to invest their capital, will impel them to speculate by granting loans more nearly approaching to the full value of the pledge; in which case, they calculate that the high rate of interest on the releasing will afford a profit sufficient to counterbalance their unprofitable advances on unredeemed pledges.

If a strict monopoly could be insured to one pawnbroking establishment, as in the continental cities, and if no competition for business existed among the different offices, a very high rate of profit might be realized from the Irish scale of Pawnbrokers' interest; but when the trade is open, the higher the proposed scale of profit, the greater will be the competition to obtain it; the relative proportion of the loan to the value of the pledge must advance accordingly, and the greater must be the losses by unredeemed pledges and imprudent advances; so that the net profit of the whole business may be low, notwithstanding an apparently exorbitant scale of interest.

On the other hand, if the scale of interest be so low as only to cover a very low proportion of risk on the sale of forfeited pledges, the Pledgers must be required to part with a much larger amount of their property than would otherwise be demanded from them, in order to obtain the advance they require, —which inconvenience must be deemed in a great degree to counterbalance the advantage which they derive from a low charge of interest; one class of borrowers may be conceived to prefer paying a large rate of interest on their loan, and pledging a small amount of property; while others may be supposed willing to part for a time with a considerable amount of security, in order to obtain the accommodation they desire at a low rate of charge.

Under these circumstances it may be regretted that the Legislature should be required to determine, *á priori*, what maximum rate of charge would be sufficient to cover these fluctuating risks, and many arguments might be adduced to throw a doubt upon the abstract policy of interfering by law to regulate the precise scale. But, without entering into so large a question at present, Your Committee conceive, they may take it for granted, that public opinion requires some legal limit to be fixed to Pawnbrokers' interest; and the next question for consideration should be, what scale is likely to afford most satisfactory results.

The high rate of interest permitted in Ireland seems to induce the Pawnbrokers in that country to speculate usually upon the redemption; and they state in their evidence, that they lose very considerably by the average of their sales of forfeited pledges; which, from the circumstances above adverted to, can easily be believed. This, in itself, seems to constitute a considerable grievance to their customers; for it must be remarked, that those who pay their debt punctually, have to pay for the loss incurred upon those who do not; and the rapid accumulation of a very high interest, after the first month, makes the debt mount up to such a sum as soon renders the redemption impossible to the poor man, who must always consider himself injured if he be unable to redeem, even though the Pawnbroker be ultimately a loser also.

It will be found in the evidence, that the scale of interest charged in some towns is much higher than is required in others; the Irish Act, for instance, gives ½*d.* interest per month for every sum not exceeding 2*s.*, and 1*d.* per month for every sum above 2*s.*, and not exceeding 4*s.*; but in Dublin, Cork and many other

other places, the charge made for 2*s.* is 1*d.*, and for 4*s.* is 1½*d.*, and so on; while at Limerick, Belfast and other towns, the legal scale is adhered to by the Pawnbrokers. The overcharge is justified by those who make it, on the plea that they are allowed to charge 1*d.* for the duplicate at the time of granting the loan; and they consider, therefore, that they lend 2*s.* 1*d.* or 4*s.* 1*d.*, when they, in reality, only advance 2*s.* or 4*s.* in cash.

It is also admitted that in the City of Dublin the Pawnbrokers are accustomed to exact interest for loans below 1*s.*, though the charge on such transactions seems to be strictly limited by law to 1*d.* for the duplicate, without any interest, and though none is demanded in the other towns of Ireland. 2394-5.

It will be seen by a paper sent from the Pawnbrokers of Cork to the Members for that City, and printed in the Appendix, that they are not a wealthy class; and though numerous, they do not seem to have accumulated or vested a large capital in the business; this evidence, as far as it goes, would lead Your Committee to suppose that the net profits derived by the Pawnbrokers in Cork are not higher than those which are made at Belfast, where the interest charged is so much lower, where the goods are sold much more regularly by public auction, and where the overplus is said to be much more frequently returned to the Pledgers.

If this be the fact, it would tend to corroborate the truth of the hypothesis, that a high scale of interest does not insure a correspondingly high scale of net profit.

The Act directs that a table of interest should be hung up in every Pawnbroker's shop. This regulation seems to be rarely complied with. 80.703.635.214.

4. *The insufficiency of the present Notices of Sale of forfeited Pledges, and the very unsatisfactory nature of the Sale, as far as the interests of the Pledgers are concerned.*

As the law considers that the property of a forfeited pledge remains in the original owner, and as he is supposed to have a title to the overplus after sale, it attempts to provide means to secure his right therein. And minute directions are given,—1st., To ensure that all such goods shall be sold by auction only; 2d., That a monopoly of such sales should be given to certain Auctioneers specially appointed to conduct them; and 3dly, That a notice of the sale of all unredeemed pledges should be served upon the owners by the Pawnbroker in country towns, and by the City Marshal in Dublin. But as they may not be found at their residences, the notice in that event is to be posted "in a proper manner, on the Market or Court House," and the sale is to be publicly advertized. The law, however, does not direct that any specific day should be stated in the notice whereon the sale will certainly occur, and whereon the owner may attend in order to watch the proceeding; nor is the place of sale specified; neither does it stipulate that the goods should be sold within a certain time, or within a certain distance. The notice required by the present law, therefore, even if duly given, could only be useful as reminding the owner that he must come forward to redeem forthwith. The sale may be indefinitely postponed after the notice, and the interest may still be allowed to accumulate to the disadvantage of the pledger, though he has already given up all hopes of redeeming, and may wish to attend the sale in order to claim the overplus.

The evidence shows that these provisions of the Acts, with respect to notice, are constantly neglected.

With respect to the sale itself, the provisions of the law are all habitually violated, and it is admitted that a great proportion of the forfeited pledges are sold by private contract, without ever passing through an auction room, and that the Auctioneers employed (excepting in Dublin and Belfast) are not appointed in the way directed by the Act, and do not give the required security for the due performance of their duties. 1830 *et seq.* 1781 *et seq.* 314 *et seq.*

In the Excise district of Mallow, it appears in evidence that there are three towns in which licensed Pawnbrokers are established, where no auction duty whatever 1975 *et seq.*

whatever has been paid ; and in the 11 towns comprehended within that district, containing 22 pawnbrokers, the whole auction duty collected last year amounted only to £.40. 1. 6. Your Committee believe that similar evidence may be obtained from the other Excise districts in Ireland, tending to show how rarely the forfeited goods are brought to any regular auction. Even in Belfast, where the more respectable members of the trade are said to send their forfeited goods regularly to the auction room, there is no check by which we can be assured that the pledges, upon which the sum advanced is lowest in proportion to its intrinsic value, and the profit on sale highest, may not be purposely kept away from
1717. public sale, as there are numbers of forfeited pledges sold at Belfast by private contract.

In Dublin, as in many other towns, a great many of the goods are sold by auction ; in Galway they are sold by auction on the Pawnbrokers' premises ; and in Cork they are sold by an inferior description of Auctioneer, who does the duty for a fixed payment of 6*s.* a day. But the goods are often put up in lots together, so that several different pledges are sold at once ; the number of the article as pledged is frequently not given ; and the whole mode of conducting the transaction shows clearly that the interest of the Pawnbroker alone is thought of in the arrangement.

It would appear that the most usual practice of Pawnbrokers in Ireland, is to invest nearly the whole amount of their capital in loans, and they do not deal largely, as in England, in second-hand goods, consequently some sort of public sale is often desired by the trade themselves, in order to convert their forfeited
1830. pledges into cash. Sometimes the goods are sold in lots by wholesale to other dealers, and sometimes they are sold by retail in disregard of the penalties of the law.

The very unsatisfactory mode of conducting the sales in Dublin has already been fully described in the Report of the Commissioners of Municipal Inquiry, an extract from which has been reprinted, and will be found in the Appendix to this Report. The additional evidence taken on the subject, before this Committee, is quite sufficient to prove the urgent necessity of a total reform of the system in Dublin.

5. *The difficulty which the Pledger finds in recovering any Overplus which may be obtained on the Sale of his Goods, after satisfying the lawful Charges of the Pawnbroker.*

There is considerable difference in the means which are proposed by the law in England and in Ireland, for enforcing restitution to the original owner of any overplus which may be realized on the sale of forfeited pledges. In England the law exempts all goods pledged for any sum below 10*s.* from the operation of the enactment ; and such goods, when forfeited, become by law the absolute property of the Pawnbroker. But all goods pledged for a sum above that value, may only be sold by public auction ; and the Pawnbroker is bound to keep a book of such sales, and to account with the owners, on demand, for the overplus which they may fetch, after his debt and the reasonable expenses of sale are deducted. The section of the Act which relates to this matter,
39 & 40 Geo. III. c. 99, sec. 20. however, seems so very insufficient for the object in view, that the equitable principle contained in it has, probably, never proved really advantageous to the public in any large class of cases.

In Ireland, the Legislature has created a much more minute machinery, as above described, to obtain the restitution of the overplus after forfeiture, and no goods, of whatever value, are exempted from the provisions of the Act.

Yet these precautions are taken in a manner which is, and must be, insufficient to obtain the object desired.

Impolicy of inefficient Restrictions. It is obvious that such formalities, even though the ultimate object be evaded, must operate to a considerable extent as a restriction on the trade, which cannot be justified unless the equitable intention of the Legislature should be attained.

The

The effect of such restrictions must of necessity diminish the value of forfeited goods to the Pawnbroker, and must thereby diminish the sum which he can afford to advance on the pledges offered to him; and if the restitution of the overplus, after all, be never made, these enactments, which were intended for the advantage of the poor Pledgers, become indirectly a source of loss to them.

From what has been already stated, namely, that the goods sold are frequently not sent to auction, and that the Auctioneer (excepting in Belfast) does not keep any book of sales for the inspection of the public, it is clear that the Pledgers must be at the mercy of the Pawnbroker, as far as the restitution of any overplus is concerned; and that the former cannot expect in ordinary cases to obtain any advantage from that portion of the law, which seems in most towns (notwithstanding the conflicting statements contained in the Pawnbrokers' evidence) to be unknown or forgotten. 1791 *et seq.* 639.

It may also be useful to remark here, that so long as the Pawnbroker is allowed to keep goods for an indefinite length of time after forfeiture, without bringing them to sale, and to charge interest for the whole of the time they are kept, the enactments relating to the overplus must be perfectly illusive. It is for the Pawnbroker's advantage to keep his capital invested in the pledge, as long as the full amount of his accumulating interest can be realized by the sale of the goods; and if he has no claim to the overplus, and can defer the sale during his pleasure, he is not likely to sell them till the interest has mounted up to the full value they will probably yield at the auction. 1084 *et seq.* 1378.

6. *Evasion of the Penalties, and inutility of the present system of giving Security.*

There is the most essential difference observable between the English and Irish Acts in the mode by which an endeavour is made to obtain compliance with their provisions; in England, the penalties imposed for a contravention of the law are payable to the informer, but in Ireland there seems to be a very cumbrous machinery in order to secure the responsibility of the Pawnbroker, when he renders himself liable to the penalties, and he is required to enter into heavy security (£.1,000 in Dublin, and £.300 in country towns) for that purpose; while, if he should be convicted, the sum imposed on him as a fine would be payable, under the Acts, to the churchwardens, for the use of the poor; and as the duties of those officers have no other connexion, either with the police on the one hand, or with any legal relief of the poor on the other, it is almost needless to add, that the penalties are not sought for, and that many of the material provisions of the law must be frequently evaded with impunity.

There seems to be no good object attained by requiring Pawnbrokers to give security for the due performance of their trust. The existing provisions of the Act in this respect will be found, on reference to the evidence, to have been most grossly neglected; but no bad result has been instanced (as far as the interests of the public are concerned) in consequence of the neglect of the proper officers in taking and renewing the securities. The penalties are small, and it does not seem necessary to put a bond of £.300 in suit, in order to obtain payment of the fines of £.2, £.5 or £.10 inflicted by the Act, which are leviable by distress. Some of the witnesses seem to attach much importance to these securities; but, Your Committee do not see any mode of making them practically useful.

Cases have been mentioned in evidence, in which Pawnbrokers have left the country and disposed fraudulently of the pledges intrusted to their care; but it would be difficult to provide an adequate remedy for such a fraud by taking security in this manner beforehand;—while other precautions may probably be taken sufficient to deter persons from committing it. Mun. Corp. Inq.

7. *Absence of any Inspection or Control.*

The species of superintendence over Pawnbrokers, which seems to have been contemplated by the Irish Acts, is of a very anomalous description. By the first

Act (26 Geo. III.c. 43), no person was to be permitted to engage in the business unless he was of good and honest repute; but no further evidence seems to have been required of his honesty than the fact of his entering into a bond, himself of £.300 and three other securities of £.100 each, conditioned for the discharge of all trusts committed to his care, which should be payable to the County-treasurer or Town-clerk, and might be recoverable by him on default of the Pawnbroker in fulfilling his obligations. The Act further directs that the proper officers should give a certificate of the receipt of the bonds, which certificate should be delivered to the Marshal of the City of Dublin with a fee of 5*s*., who is to register it, and enter a fair copy of it in his book. The Act also declares that every Pawnbroker shall deliver to the Marshal or Register a return on oath of the number of sums lent by him in each month and the gross amount thereof, which return is to be made within the next succeeding month after the sums therein mentioned have been lent, and that the Register should enter a fair copy of the same in his registry books; for each of which monthly accounts he shall receive 1*s*. and no more, and a true abstract thereof is directed to be placed before Parliament every Session.

The inutility of the security by bond has been already remarked on, and the manner in which successive Marshals of the City of Dublin have discharged the duties imposed upon them by the Act, will be found by the evidence, and by the Report of the Commissioners of Municipal Inquiry, to have been exceedingly unsatisfactory.

The certificates of the registry of the Pawnbrokers' bonds have not been regularly required by them; yet the fees have been raised from 5*s*. to £.1.

2063–2074. 2242 *et seq.* 2361 *et seq.* The monthly returns have not been regularly made, nor has any book been kept of them, nevertheless the fees were received and have been even raised in most cases to £.1 per annum, instead of 1*s*. per month, and sometimes to £.30.

The abstract seems never to have been prepared or placed before Parliament since the first year of the enactment.

The present Marshal states, that he has been more active than his predecessors in endeavouring to obtain correct returns from the Pawnbrokers, and correct certificates of the registry of their bonds. Nevertheless it will be found, upon reference to the evidence, that he has not complied with the clauses of the Acts. His book of registry is irregularly kept, and in many cases does not contain the names of the Pawnbrokers' securities. He keeps no book with an entry of the returns; but the documents themselves were produced in original by the Marshal, and show that they are not made on oath; they are not always signed. The persons who send them are not always duly registered as having perfected their bonds. The returns are not asked for monthly, but are desired to be sent annually, and the fees are sometimes required in advance.

His explanation concerning the surcharge of fees will be found in the evidence, but cannot be considered satisfactory; some of the witnesses state that the fees only were sought for, and that the returns and certificates were but little attended to.

The Marshal also states, that whatever blame may attach to him for the manner in which the duties of his office have been performed, applies also to his predecessors; and it would appear from the evidence that the office having been regarded as a species of sinecure, the fees have always been collected by the Marshal without his having exercised any effectual superintendence over the trade, or exacted any regular compliance with the provisions of the Act of Parliament.

By the 28th Geo. III. c. 49, the security required from a Pawnbroker, acting as such within the City of Dublin, is raised to £.1,000, and a certificate of fitness is to be given by the police magistrates before he can commence business. If he should be convicted of receiving stolen goods by the police, they may disqualify him; but this power of disqualification applies only to Dublin, and appears to have been only once put in force.

There is the greatest want of a similar provision in the other towns of Ireland. The evidence taken before the Commissioners of Poor Inquiry shows that some of the Pawnbrokers are in the constant habit of receiving stolen goods, and an instance has been mentioned of a Pawnbroker at Belfast, who had been imprisoned for receiving stolen goods, but who continued in business notwithstanding, and has since opened a second shop. 1840.

There is no power, either in Dublin or elsewhere, of disqualifying a Pawnbroker who may have repeatedly violated the most material provisions of the Act. His books may be perfectly unintelligible to the Magistrates; his frauds may be repeated; his shop may be open at improper hours; his forfeited pledges may be sold by private contract, and yet he may continue to take advantage of an Act which he disobeys.

Having thus endeavoured to point out those defects of the law which seem more particularly to affect the public, it will be desirable to advert further to some of the restrictions which appear to press injuriously upon the persons engaged in the trade, and through them upon their customers; and these are principally,—

8. The Taxation to which the Trade is liable.

9. The necessity of keeping Pledges for a certain period specified by Law, and,

10. The Restriction of the Act to Loans not exceeding £. 10. 1021. 2045.

8. *Taxation to which the Trade is liable.*

1. In England the Pawnbrokers are subject to an annual tax of £. 7. 10. (or in London, £. 15.) with an additional sum of £. 5. 15., if they deal in plate or lace. In Ireland there is no license required from the Stamp-office; but the trade is subject notwithstanding to very heavy exactions. In England.

1. The obligation to enter into the bonds above referred to, is a considerable inconvenience, and is also attended with expense; the law endeavours to limit the expense to a fee of 6 *s.* 8 *d.* for filling the bonds, and 5 *s.* to the Marshal of the City of Dublin for registering the certificate of the officer in whose custody they are deposited. But, in practice, the Pawnbrokers have been usually mulcted in a much larger sum, and £. 10 seems to be the usual charge for going through this simple form. In Ireland.

2. The fees upon the monthly returns, already alluded to, constitute another item of taxation upon every Pawnbroker in Ireland. The returns themselves have usually been omitted, but the fee of £. 1 to the Marshal is stated to be the customary annual charge in lieu thereof, though some have only paid 12 *s.*

3. The Pawnbrokers in the City of Dublin are subject further to an annual tax of £. 100 (Irish), towards the support of the local police.

4. In Dublin they are also compelled to pay a varying fee of 3 *d.* or 4 *d.* to the City Marshal, for serving the notice of the sale of unredeemed pledges; which fees have been compounded by the present Marshal for a fixed payment in advance of about £. 6 per annum from each Pawnbroker.

5. They are likewise compelled in Dublin to employ one of four Auctioneers for the sale of their unredeemed pledges, to whom a monopoly of that business has been assigned by the Act; and, as the charges for such sale must consequently be considerably higher than they otherwise would be, and as many other minute disadvantages occur under such an arrangement, it must be considered as a very heavy additional burthen upon the Pawnbrokers, and, through them, upon their customers.

6. The auction duty must be reckoned as a further charge upon such of the trade as comply with the provisions of the Act by bringing their unredeemed pledges to public sale.

Not complained of by the Trade.

It seems at first sight remarkable that no serious complaints of such apparently onerous exactions should have been made by the trade itself; but, when it is considered that the profits of pawnbroking depend upon the absence of competition in the business, it becomes clearly intelligible why those who are already established in the trade should be well pleased to exclude others, by the operation of high taxes which a small business or a new shop could not afford to pay.

The Pawnbrokers of Dublin have testified no anxiety to be relieved from the payment of £. 100 for their license; and the larger traders in the provincial towns have volunteered to express their readiness to be subjected to an annual tax of £. 50. This is such a very unusual evidence of a desire for taxation, that it must of necessity be received with considerable distrust.

The enormous profit supposed by many people to be derived from the high interest charged by Pawnbrokers, was probably the original ground for subjecting them to taxation. But attention has not been sufficiently directed to the effect of competition in obliging the trade to incur hazards which are to a considerable extent an accommodation to the public, which counterbalance their gains, and tend to reduce the profits to an ordinary standard.

When the numbers of the trade are restricted by the effect of taxation, a partial monopoly is created, which, in proportion as it diminishes the number of competitors for business, enables the trade to make smaller and safer advances to their customers, and to charge them with a higher rate of interest.

It is found, accordingly, that some of the charges in Dublin are higher than in any of the other towns of Ireland. It is probable, also, that the advances are much lower, as it is only by making a more certain profit that the trade could be reimbursed for the heavy taxation to which they are specially rendered liable in Dublin.

Thus the profits of the business are not reduced, but are probably increased by the indirect effect of a tax which diminishes the number of competitors in the trade; while the accommodation to the poorest class of the community is diminished, and the charges are increased.

It is in this point of view that Your Committee consider that the tax imposed upon Pawnbrokers in Dublin must fall, ultimately, as a grievous burthen upon those who are obliged by necessity to resort to them for assistance.

9. *Necessity of keeping Pledges for a period specified by Law.*

The Pawnbrokers' Act in England requires that all goods in pledge, of whatever value, should be kept for a period of 12 months, before they shall be declared forfeited. In Ireland, goods below the value of 20*s.* are forfeited at the end of six months, below the value of 40 *s.* nine months, and above that value are to be kept 12 months.

There seems to be no sufficient reason for limiting the period in this precise manner. The time required in England seems much too long for the smaller class of pledges; but the difficulty has not been overcome by the provisions of the Irish Act,—as the object sought by both parties ought to be, that the goods should be kept so long as there is a chance of their being redeemed, and so long as they are likely to realize by sale the amount of debt which is due upon them.

But the risk of their deteriorating in value, though it is greater upon the small than on the larger articles, depends also upon the quality and description of the goods, and upon the season in which they are pledged.

Thus woollen goods are said to deteriorate rapidly in value if kept too long; and if pledged in spring, and unredeemed, they are found to be out of season at the expiration of 12 months, and must in reality be kept much longer before they can be brought advantageously to sale.

It follows that the Pawnbroker, if bound by law to keep them longer than his interest would otherwise dictate, must necessarily diminish his loan, in order to escape

escape some portion of the risk of deterioration, which is a loss both to him and to the Pledger; while the latter may be induced to defer too long the period of exertion by which he might raise money to redeem his pledge, till at last the amount of accumulated interest makes him indifferent about it. Thus both parties are ultimately injured, and a certain portion of property wasted, by an attempt to enter into minute details in legislation, many of which might be left more advantageously to the arrangement of the parties interested.

10. *Restriction of the Act to Loans not exceeding* £. 10.

The law endeavours to limit the operations of the trade to loans of £. 10; and loans above that amount are chargeable with six per cent. interest only. But as that interest would be insufficient to remunerate the Pawnbroker, the Act may be evaded by dividing a larger sum into several different loans of £. 10, and giving several duplicates thereon as if they represented different transactions, or by the borrower giving up the property altogether without receiving a duplicate, and trusting to the honour and good faith of the Pawnbroker to return it to him upon re-payment of the loan and the interest which may have been agreed on.

Thus the borrower suffers additional risk, or pays a higher rate of interest than would otherwise be required of him, if the transaction were recognized by law; while the Pawnbroker may find a difficulty in bringing the goods so pledged, if unredeemed, to a legal sale.

In considering the remedies which might most appropriately be recommended to the several defects in the law and practice of the trade above enumerated, Your Committee will adhere to the same classification which has been attempted in describing them.

1. *Pawnbrokers' and Auctioneers' Books.*

Amendments suggested.

It is desirable that a schedule should be introduced into the Act which regulates the trade, describing the precise amount of information required from the Pawnbrokers' books. Unless a certain degree of uniformity in this respect be obtained, it is impossible for Magistrates to decide in a satisfactory manner on the cases which may be brought before them. It is very desirable that no more should be required in this respect from the Pawnbrokers than is absolutely necessary to trace the goods, and the following seems to be the minimum of information which the Pawnbrokers' day-book should afford:—

N° of Duplicate.	Name and Residence of Pledger, if given.	Description of the Goods.	N° of Months for which the Pledge is to be kept.	Sum Lent.	When released.	If not released, Date of Sale, and Name of Auctioneer.
	Each Day's	Pledging to be headed by	the Date writ	£. s. d. ten across the	Columns.	

No goods should be taken in, released or sold, without a legible entry thereof in the day-book, and the description of the goods to be entered in words at full length, or to the satisfaction of the Magistrate, under a penalty. But any other columns may be added at the pleasure of the Pawnbroker.

When the goods are released, an account of the charge made to the Pledger should be entered in another column of the day-book, or in a separate book, to be called the releasing-book, in which shall be entered,—

N° of Duplicate.	Sum Lent.	Sum Charged.

When the goods are sold, an account of the sale should be kept by the Auctioneer in the following form, of which a copy shall be taken by the Pawnbroker :—

N° of Duplicate as taken from Pawnbroker's Day Book.	Date of Pledging.	Name of Pledger, if given to Pawnbroker.	Description of Goods.	Sum Lent.	Sold for	To whom.
				£. s. d.	£. s. d.	
Date of Sale and Name of the Pawnbroker for whom the Goods are sold to be written across the Columns.						

The Auctioneer or Pawnbroker to examine the sale-book on production of duplicate and on payment of 1*d.*, and to give a memorandum in writing, either on the back of the duplicate or on a separate piece of paper, in the following form :—

	£. s. d.
Amount of Sale - - - - - -	
£. s. d.	
Lent - - - - - -	
Interest and Duplicate - -	
Charge of Sale and Notice -	
Deduct TOTAL - - - -	
OVERPLUS DUE - - - £.	

The Pawnbroker and Auctioneer respectively may give notice that their books may be examined every day during four hours specially named by them for that purpose, and should not be compelled to produce their sale-books at other hours, except on the requisition of a Magistrate or Constable.

2. *Improved Form of Duplicate.*

The duplicate should contain at least 20 square inches superficial, of strong paper or card; and it is of the utmost importance that it should specify the number of months for which the pledge will be kept, and the rate of interest to be charged. This last regulation would not only afford valuable information to the Pledger, but would also be the best evidence against the Pawnbroker if he should exceed the stipulated charge.

But the most essential improvement is suggested in the evidence of Mr. M'Call of Lisburn, and others, namely, that the duplicate should contain a notice, informing the Pledger that he can ascertain the precise day and place of sale of his pledge, after forfeiture, by applying at the pawn-office; which information the Pawnbroker should be required to give in writing on the back of the duplicate.

The Pawnbroker should be compelled to keep all duplicates for one year, in order to produce them if required by the Magistrate. The price of the duplicates to be fixed at the maximum rate of $\frac{1}{2}d.$ whatever may be the amount of the loan —and be chargeable only upon the redemption or sale of the pledge.

This alteration may probably be objected to by the Pawnbrokers; but when it is considered that the trade in Belfast and Lisburn are in the habit of lending sums below 1*s.* for $\frac{1}{2}d.$, without any interest, that the Pawnbrokers in London are in the habit of lending sums of 2*s.* 6*d.* at the rate of $\frac{1}{2}d.$ per month, without any charge for the duplicate, it must be evident that they consider the labour of taking in a pledge is sufficiently remunerated by $\frac{1}{2}d.$

The duplicate in future to be of the following size and description :—

John Doe, Pawnbroker, 11, Essex Street, Dublin.

N°.

, has lent this day of
18 , to Richard Roe, 8, Bride Street, on

the sum of £. at the rate of
per month interest.

And if the pledge be not redeemed within months from the date hereof, it will be declared forfeited, and will be sold by public auction.

The owner of this ticket may obtain notice of the precise day and place where the sale will occur, by producing it at this office on the day of forfeiture, or any day after previous to sale, between the hours of 12 and 4 o'clock; and payment will be made at this office of any overplus which may accrue thereon after sale.

The following may be the form of the stop ticket which every Pawnbroker should be required to give upon being assured of the identity of the claimant, for the fee of 2 *d.* and which should be signed by the Justice at petty sessions, after sufficient inquiry, upon payment of 4 *d.*

Stop Ticket. John Doe, Pawnbroker, 11, Essex Street, Dublin.

N°.

, pledged the day of 183 .

I, Richard Roe, of 8 Bride Street, do solemnly declare that I have lost my Pawn Ticket of the above Number and Date, which was given to me upon my pledging

for the sum of £. , and that I have not willingly parted with said Pawn Ticket to any other person.

(signed)

Taken before me in open Court this day of 183 .
J. P. } *Richard Roe.*

3. *Amended Scale of Interest.*

Your Committee cannot but perceive with regret, that the enactment of a maximum scale of Pawnbrokers' interest by law, has a strong tendency to establish a fixed minimum. And it is with some reluctance, therefore, that they recommend the continuance of a fixed legal maximum; more especially as they feel that, in the present state of the trade in Ireland, it might be considered harsh and impolitic if they were to propose at once such a reduction therein as would fully meet the evil of the present practice, and compel the Pawnbrokers to alter their mode of doing business, to limit their advances, and to divest the trade as much as possible of its present hazardous character.

Such an extensive alteration would be said to be founded on speculative views; and the disadvantage which it might occasion to those traders who could not at once change their mode of doing business, would be exaggerated into a certainty of their ruin.

In endeavouring therefore to adjust a new and a somewhat reduced scale of Pawnbrokers' interest, Your Committee have, to a certain degree, followed the principle upon which former scales have been framed. They propose that the maximum interest allowed by law, should be as high as 25 per cent. per annum upon the smallest class of loans, where there is most hazard of deterioration, and that it should fall gradually down to nearly 15 per cent. per annum on loans above £. 5.

This will be found on the one hand to be, in most instances, considerably higher than the interest now taken by the English Pawnbroker, so that there can be no doubt of its being amply sufficient; and, on the other hand, it is lower than that which has been usually exacted in most of the towns in Ireland.

The arguments already used have been adduced to show, that the net profits of pawnbroking do not depend upon an exorbitant rate of interest, and that the effect of the proposed reduction will not diminish the general profits of the trade, though it will have a tendency, as far as it goes, to compel the Pawnbrokers to derive them from a more legitimate mode of doing business.

It will be found also that pains have been taken to adjust the following scale, so as to give as many steps as possible, upon which the rate of interest obtained by the Pawnbroker is advanced, and to place the advance upon those sums which are most frequently required. This will be for the benefit of both parties, as it will enable the accommodation or loan given to approximate more closely to the value of the pledge and to the wants of the Borrower.

The Borrower usually wishes to obtain an even sum, but if, for instance, he should want to raise 4*s.*, it is not for the interest of the Pawnbrokers, according to the present scale, to lend that precise sum. The evidence shows that the Pawnbrokers are in the habit of evading the law, but if they were to obey it they would naturally decline to lend 3*s.* or 4*s.*, as the interest thereon would not be greater than on 2*s.* 6*d.*; and, if the Borrower would not part with his pledge under 4*s.*, they would endeavour to make him take 4*s.* 1*d.* or 4*s.* 6*d.*, so as to obtain such an advance in the interest as would pay them an additional profit.

According to the following scale, the proposed interest on the precise sums of 2*s.* and 4*s.* will be the same as has been legally chargeable hitherto; but at present the Pawnbroker has no inducement to lend those sums, unless he practices the ordinary evasion of the law, and makes the usual overcharge; whereas, by this scale, it would be most for the interest of the Pawnbroker to make his loans consist of those and of similar even sums, as he would get an increasing interest on each shilling advanced up to 10*s.*, and he would therefore be as anxious as the borrower to deal in round sums.

The adoption of the following table will tend also to simplify the calculations of both parties on all the numerous transactions which occur under £. 5, and will

will prevent the errors which must frequently arise in calculating the interest under the English Act.

s.	*d.*		*s.*	*d.*		*s.*	*d.*
–	¼	per Month for	1	–	or for any Sum not amounting to	2	–
–	½	,,	2	–	,,	3	–
–	¾	,,	3	–	,,	4	–
–	1	,,	4	–	,,	5	–
–	1¼	,,	5	–	,,	6	–
–	1½	,,	6	–	,,	7	–
–	1¾	,,	7	–	,,	8	–
–	2	,,	8	–	,,	9	–
–	2¼	,,	9	–	,,	10	–
–	2½	,,	10	–	,,	11	6
–	2¾	,,	11	6	,,	13	–
–	3	,,	13	–	,,	14	6
–	3¼	,,	14	6	,,	16	–
–	3½	,,	16	–	,,	18	–
–	3¾	,,	18	–	,,	20	–
–	4	,,	20	–	,,	22	6
–	4½	,,	22	6	,,	25	–
–	5	,,	25	–	,,	27	6
–	5½	,,	27	6	,,	30	–
–	6	,,	30	–	,,	32	6
–	6½	,,	32	6	,,	35	–
–	7	,,	35	–	,,	37	6
–	7½	,,	37	6	,,	40	–
–	8	,,	40	–	,,	42	6
–	8½	,,	42	6	,,	45	–
–	9	,,	45	–	,,	47	6
–	9½	,,	47	6	,,	50	–
–	10	,,	50	–	,,	52	6
–	10½	,,	52	6	,,	55	–
–	11	,,	55	–	,,	57	6
–	11½	,,	57	6	,,	60	–
1	–	,,	60	–	,,	65	–
1	–¾	,,	65	–	,,	70	–
1	1½	,,	70	–	,,	75	–
1	2¼	,,	75	–	,,	80	–
1	3	,,	80	–	,,	85	–
1	3¾	,,	85	–	,,	90	–
1	4½	,,	90	–	,,	95	–
1	5¼	,,	95	–	,,	100	–
1	6	,,	100	–			

And for every pledge upon which shall have been lent any sum exceeding £.5, the interest thereon shall be charged after the following manner, that is to say, the interest on £.5 shall be calculated at 1*s.* 6*d.* per month, and thereto shall be added for that portion of the loan which is beyond £.5 at and after the rate of 3*d.* per Month, and no more, for the loan of every 20*s.* so exceeding £.5.

	£.	*s.*	*d.*		*s.*	*d.*
Examples:	5	5	–	Interest	1	6¾
,,	10	–	–	,,	2	0
,,	11	10	–	,,	3	1½

Pawnbrokers to give a farthing in change, or to abate the odd farthing, as in the English Act.

There are two elements of competition in the business of pawnbroking, and the persons engaged in it may either overbid one another by the liberality of their

advances, or underbid one another in the low scale of interest and profit which they may propose to take.

The former seems unfortunately to be the only species of competition in which the trade have hitherto been engaged, and the latter has been but little attempted.

It would be much more desirable for the interests of the poor if the Pawnbrokers were to limit their advances so as to secure themselves from risk, and if the rivalry of the trade were extended more towards the other branch of competition, namely, a reduction in the rate of charge.

Much cannot, perhaps, be expected from the following recommendation, in attaining this desirable object in the smaller class of loans; but, in order to give the Public confidence in the binding nature of any agreement which the Pawnbroker may make, if he should offer to reduce his charge below the legal maximum, Your Committee are of opinion that he should not be permitted by law to charge more than the rate which he inserts upon the duplicate.

4. *Mode of Sale of Forfeited Pledges.*

Attention has been already called to the suggestion that a sufficient notice of sale ought to be given to the Pledger on his demand, and that the date and place thereof should be written on the back of his duplicate when presented for that purpose, after forfeiture of the goods. This seems to be the only method of giving any effectual notice. It will be a very valuable privilege to the Pledger in those cases where any overplus is really likely to accrue; and it will relieve the Pawnbroker from the odium which at present attaches to him in many cases, where the goods are supposed to be worth more than they actually fetch at the auctions.

The present mode of giving notice may be altogether dispensed with.

The Pawnbroker's charge for giving notice ought not to exceed 1 *d.*, which should not be demanded at the time, but should only be deducted from the proceeds of the sale.

The goods to be knocked down to the highest bidder, and if not put up on the day specified in the notice, the Pawnbroker to be liable to a penalty of 6 *d.* for every day which he so delays to sell them, provided the loan does not exceed £. 1; and 3 *d.* in the pound additional per day, for every sum exceeding £ 1; which penalty he shall deduct from the charge which he makes to the Pledger, and which may be subject also to mitigation if the case be referred to the Petty Sessions.

All forfeited Pledges, of whatever value, to be saleable seven days after forfeiture and not sooner; they should be sold by auction only, and within the limits of the town where they are pledged.

And, in order to prevent the Pawnbroker from having a direct interest in promoting a mock sale, it is essential that he should be prevented from selling goods of any kind by retail, under pain of penalty. This restriction seems absolutely required in order to give confidence in the *bonâ fide* nature of the auction; and as it is not the custom in Ireland for Pawnbrokers to invest any large proportion of their capital in buying in forfeited pledges at the auctions, in order to retail them again in their shops, it cannot be considered as a greivance to them, and will probably promote the respectable character of the trade.

The Auctioneer to be licensed; to be bound to keep a book of sales as specified by law, and to keep an office open in the town where reference may be made to such book. Any Auctioneer convicted of false entry, unfair sale, or neglect of the provisions of the law, should be fined for every such neglect; and any Pawnbroker employing an unlicensed Auctioneer to be fineable.

The charge for auction should not exceed 1 *d.* in the shilling, on each article sold below 5 *s.*, and 1 *s.* in the pound for all articles above that value.

5. *Restitution of the Overplus after Sale.*

The principal precautions necessary to ensure restitution of the overplus are already detailed, namely, to oblige all forfeited pledges to be sold by public auction,

auction, and not to allow them to be disposed of in any other way, and to oblige the Auctioneer to keep a book which shall enable him to give an account to the Pledger of the proceeds of each and every article sold.

But, besides this, it will be necessary to limit the time for which interest may be charged to one month beyond the time of sale specified in the original duplicate; and this will make it the Pawnbroker's interest to sell off the goods at the expected time, when some overplus may be realized upon them; and it will induce him also to insert upon the duplicate the precise number of months which he really intends to keep the goods before sale. It is of much importance to stimulate the exertions of the poor Pledger, by making him look upon the notice of sale as certain and peremptory.

Provided always, that this should not prejudice any subsequent agreement that the parties may enter into to keep the goods longer than was originally proposed, which agreement, in order to be binding, should be entered on the back of the duplicate.

6. *Penalties.*

The penalties imposed for a contravention of the law need not be large, but they should be made payable in part to the informer. And in order to relieve the Pawnbrokers in cases where they may prove that their error arose from venial causes, the penalty should be capable of mitigation at the discretion of the Magistrates, who should be empowered to dispose of the case summarily, and be required to report all convictions to the next Quarter Sessions.

The necessity of giving security to be dispensed with. But all persons concerned in disposing of pledges otherwise than in the way required by law, to be guilty of a misdemeanor.

7. *Inspection and Control.*

Various schemes have been alluded to in the evidence, for affording a proper inspection and control of Pawnbrokers. But, after much consideration, Your Committee are unable to recommend the appointment of any officers for that especial purpose.

The present system of licensing is obviously so defective, that it cannot be retained, and Your Committee are of opinion that, instead thereof, a license should be granted, in Dublin, by the Recorder's Court, or by some other legal authority, and in the country towns, by the Justices at Quarter Sessions, annually, upon payment of a fee of £.1., to be divided between the Assistant Barrister and the Clerk of the Peace. The license to be withdrawn, at the discretion of the same Court, if the person applying for it has been thrice convicted of offences against the law.

It is hoped that this will have a much greater effect than any pecuniary penalty in enforcing the provisions of the law; in preventing the receipt of stolen goods; in preventing the sale of spirits, or the retail of forfeited pledges by Pawnbrokers; and in obliging them to keep correct hours; to keep proper books; and to fulfil the other regulations required by the Act.

The Auctioneer to take out a similar license, and to be subject to similar disqualifications.

8. *Relief from Taxation recommended.*

There appears to Your Committee to be no good ground for imposing any tax upon the business of pawnbroking, as it must fall ultimately upon the most wretched class in the community. Your Committee recommend, very earnestly, that the pecuniary burthens already enumerated under this head be entirely removed, and that no restriction be imposed either in Dublin or elsewhere on the number of Auctioneers whom the Pawnbrokers may employ.

It is hoped also that the auction duty on the sale of unredeemed pledges may be remitted, as the strongest analogy exists between such sales and sales of insolvents' goods, sales under distress, &c. &c. which are already exempted by law. It appears, moreover, that there is no probability of the Excise duty being honestly and fairly accounted for, in consequence of the openings for fraud which exist in transactions of such a paltry amount, unless an expensive machinery be created, which would probably absorb the revenue to be derived fron the tax. The duty, hitherto, has never been correctly levied.

9. *Time of keeping Pledges to be arranged between the Pawnbroker and the Pledger; minimum period, Three Months.*

Much improvement may be anticipated from allowing the Pawnbroker and the Pledger a greater latitude in settling between them the period during which the pledge shall be kept previous to sale; and from reducing the minimum period (for goods of whatever value) to three months. The recommendation already made, that interest should be chargeable only for as many months as is specified on the duplicate, will induce the Pawnbroker to name the longest period for which he can safely keep them, without risk of deterioration. And it is of advantage to both parties, that he should not be compelled to keep them beyond the period or season when they will sell best.

10. *Removal of the existing Restriction of the Law with respect to Loans above* £.10.

Your Committee recommend, that Pawnbrokers should in future be allowed by law to make loans on pledges to any amount desired, subject only to the restrictions and regulations already proposed.

Your Committee cannot conclude this Report without expressing their regret that the recommendations contained in it necessarily enter into such minute details, and may notwithstanding fall short of what many persons in Ireland will think essential to a reform in the present system.

They trust, however, that the proposed alterations will be found easily practicable, and that they will ultimately lead to considerable improvement; that much of the odium and discredit attached to the trade at present will be removed, and that those persons of character who embark in it may introduce into the business a more wholesome species of competition than has yet been seen.

If the above recommendations should be favourably entertained by the Legislature, it is at least hoped that all questionable transactions may in future be easily traced and checked; and that those needy and ignorant persons who may be compelled by their necessities to resort to the Pawnbrokers for temporary accommodation, and whom the law should especially compassionate and protect, may find an easy and an intelligible remedy when they are wronged.

3 *August* 1838.

PROCEEDINGS OF THE COMMITTEE.

Lunæ, 14° *die Maii*, 1838.

PRESENT:

Lord CLEMENTS, in the Chair.

Mr. Corry.	Mr. Redington.
Mr. W. Roche.	Sir M. Chapman.
Mr. Hutton.	Captain Meynell.
Mr. Lucas.	Sir W. Somerville.
Mr. Beamish.	Lord Adare.

Martis, 12° *die Junii*, 1838.

PRESENT:

Lord CLEMENTS, in the Chair.

Mr. Hutton.	Mr. John Young.
Mr. W. Roche.	Mr. Corry.
Mr. Lucas.	Mr. Beamish.
Mr. Ponsonby.	Captain Meynell.
Mr. E. Tennent.	

Martis, 17° *die Julii*, 1838.

PRESENT:

Lord CLEMENTS, in the Chair.

Mr. Hutton.	Mr. Corry.
Mr. Lucas.	Sir W. Somerville.
Mr. Redington.	Mr. J. Young.

Mercurii, 18° *die Julii*, 1838.

PRESENT:

LORD CLEMENTS, in the Chair.

Mr. Hutton.	Mr. John Young.
Sir W. Somerville.	Mr. Corry.
Mr. Redington.	Mr. Lucas.

LIST OF WITNESSES.

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Mr. Archibald Douglas (Inspector and Secretary to the Limerick Mont de Piété) - - - - - - - - - - - - - p. 30
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Mr. John Devlin (Auctioneer, Belfast) - - - - - - p. 90
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Mr. Thomas Charles Flaxman (Clerk of Excise, Mallow) - - - p. 110
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MINUTES OF EVIDENCE.

Martis, 22° die Maii, 1838.

MEMBERS PRESENT:

Mr. Hutton.	Mr. Lucas.
Mr. Redington.	Mr. Beamish.
Mr. Corry.	Mr. Wm. Roche.
Mr. John Ponsonby.	Sir William Somerville.
Mr. John Young.	

LORD VISCOUNT CLEMENTS, IN THE CHAIR.

George Mathews, Esq., called in; and Examined.

G. Mathews, Esq.

22 May 1838.

1. *Chairman.*] YOU are employed in the Chief Secretary's office in Dublin Castle?—I am.

2. How long have you been so employed?—Eight years.

3. You are secretary also to the Central Loan Fund Board in Ireland?—Yes.

4. That employment has given you an opportunity of inquiring into the operation of the system of loans among the poor?—It has; my attention has been for the last two years particularly drawn to that subject.

5. From thence have you been led latterly to inquire into the system of pawnbroking?—I have.

6. Have you been induced from any other circumstance to inquire into it?—From very strong statements appearing in public respecting pawnbrokers, and also from the notice taken of the subject by the Irish Corporation Commissioners in their Report.

7. Have you seen the evidence on which that Report was founded?—I have it here.

8. Can you produce it?—Yes, I can; I have the original, and also a copy.

9. Is that you have in your hand, the original minutes?—Yes, taken before the Commissioners, in the hand-writing of the Commissioners themselves.

10. Have you a copy you can deliver in to the Committee?—Yes, I have.

[*The Witness delivered in the same.*]

11. Have you seen the several allegations contained in that Report respecting the inefficiency of the present system of licensing pawnbrokers?—As regards Dublin, I have.

12. Do you find that those grievances exist now?—In a very great degree they do.

13. Do you find that they operate very much to the disadvantage of the poor?—The grievances stated by the Commissioners in their Report still exist, and they all operate against the poor.

14. What is the system of licensing at the present time by law?—With the exception of Dublin, there is no such system as licensing in Ireland.

15. Then, in point of fact, the appellation of licensed pawnbroker is a misnomer?—Yes, it is.

16. What is the system that prevails in Ireland?—A person conducting business as a pawnbroker, is by the Irish Act of 26 Geo. 3, cap. 43, required to lodge securities in a bond of 300*l.* for himself, and three other persons in 100*l.* each, for the due performance of his office of pawnbroker; if he is stationed in a town, that bond is lodged with the town clerk; if in the county, with the county treasurer.

17. And that entitles him to take out a license?—He obtains a certificate of having lodged that bond either from the town clerk, or the treasurer of the county, and by another section in that Act he is required to transmit that certificate to the marshal of the city of Dublin, with a fee of 5*s*., who enters it in a book, and there is nothing further required; it is merely a certificate of having lodged the bond.

18. The security is not made available unless there is an action brought against the pawnbroker for not complying with the provisions of the Act, which action, in point of fact, is never brought?—No.

19. That is the state of the case?—Yes, as regards all Ireland, except Dublin.

20. What are the penalties attached to the non-compliance with the provisions of the Act?—There are a variety of small penalties, but there is no penalty for commencing business of this description; there are a variety of small penalties for malpractices.

21. How are they recoverable?—By the churchwardens, and to be applied to the poor of the parish.

22. And not recoverable by an informer, or the party injured?—No.

23. They are therefore never sued for?—No.

24. The bond is never put in suit against the pawnbroker?—No, it never is.

25. As an effectual check against malpractices, it is quite inefficient?—Yes; when once the certificate is obtained of the lodging the securities, no further inquiry is made into the conduct of the pawnbroker, or the solvency and sufficiency of the sureties in it.

26. Then it appears, as far as the licensing is concerned, it is only another term for taking a certain fee from the pawnbroker, and a general system of registering his name; but as a check against the abuse of the trade, it is, practically speaking, inoperative?—Yes, quite so; the certificate is taken the first year of commencing business, and the name is entered in the register by the city marshal.

27. If a pawnbroker misbehaves, he still continues in business?—Yes, he does so.

28. Mr. *Hutton*.] In point of fact, does a pawnbroker commencing business, generally give that security; have you any means of knowing that?—There are cases in which pawnbrokers are carrying on business without having lodged any security.

29. Mr. *Corry*.] If any person finds himself aggrieved, has he the means of enforcing an action against the pawnbroker?—If a person pawns goods, and cannot get them again, he has a right of action against the pawnbroker.

30. *Chairman*.] Are actions often brought for malpractices?—The city marshal has stated, in his Return, that he has never known of a penalty recovered against any pawnbroker, but there have been some cases.

31. Have there been no complaints on the part of any persons pawning goods; have they not made complaints?—There is a penalty payable to the person pawning goods, and there have been complaints made in that respect.

32. Complaints made against the persons pawning goods, or against the pawnbroker?—Against the pawnbroker; but there are other malpractices, not relating to the pawning of goods, which a pawnbroker may commit, and for which the churchwardens can alone prosecute.

33. Mr. *Redington*.] The penalty in no case can extend to deprive him of his license?—He has no license.

34. No penalty can have the effect of putting him out of the business?—There was a case of that kind a few years ago in Dublin, where an annual license is required.

35. *Chairman*.] You have stated the practice in the country; what is the practice relating to Dublin?—An annual license is granted by the head-magistrates at the office of police.

36. What is the nature of the jurisdiction exercised by the marshal of the city?—The marshal's jurisdiction is defined in these two Acts; it amounts to nothing more than having received certificates, of the bond having been lodged, and the registering the name in the register of the pawnbrokers of Ireland; he has another duty, to receive a monthly return from each pawnbroker of the number of pawns taken by them, and the amount lent.

37. What is the license granted by the city magistrates?—That is required by two Acts which were passed with the view of laying on an annual tax of 10*l.* first, and 90*l.* afterwards, towards the expense of the Dublin City Police; it was merely to cover that charge, that the Acts were required.

38. Has the license ever been refused by the city magistrates for malpractices?—There is one case I am aware of that excited a great deal of notoriety four years ago; a particular pawnbroker denied the right of the magistrates to withhold the license; it went to the Court of King's Bench, and they affirmed the right of the magistrates.

39. Though that was found to be the law, in point of fact that instance is a rare if not a solitary one; and, practically speaking, the withdrawal of the license by the magistrates of the city for misconduct is not enforced?—I inquired at the district police office before coming here, and that is the only instance in which I can find they exercised the right.

40. That is not looked to by the poor as a check upon any malpractices that may exist, or any contravention of the Act that may occur in Dublin by the pawnbrokers?—It is no protection to the poor in Dublin; they could never resort to it; and it merely relates to Dublin.

41. Mr. *Roche.*] What is the number of pawnbrokers in Dublin?—There are 46, I believe; there is a return by the city marshal.

42. *Chairman.*] What are the other duties of the city marshal?—His duty, besides receiving the certificate and entering it in the register of pawnbrokers in Ireland, is to receive a monthly return of the number of pawns effected by each, and the amount lent, for which the marshal is entitled to 1*s.*, and "no more," the Act says.

43. Practically speaking, is more paid by the pawnbroker?—It is admitted by the city marshal he receives 1*l.* a year, paid in advance, and the returns never come in monthly.

44. Has he not the duty of giving notice of sale to the parties who make pledges?—Yes, in Dublin he has the additional duty of giving notice to the parties whose goods are to be sold; the pawnbroker sends the marshal a list of the persons whose goods are to be sold, and the marshal is supposed to give that notice to the parties; I have a copy of that notice.—[*The same was handed in.*]

45. Does he make any extra charge for that duty?—He is allowed by the Act to charge a certain sum; but he generally makes a bargain with the pawnbroker, and compounds with him for 6*l.* a year to serve all notices.

46. The object of the notice being to apprize the individual that his goods having been in the pawnbroker's possession longer than the time allowed by the Act, are now to be sold by auction?—Yes, within 14 days after that notice.

47. Practically speaking, do the individuals ever receive any notice, or is it given in such a form as to enable them to attend at the auction where his goods are sold?—There has been a good deal of contradictory evidence upon that point; I have examined several of the pawnbrokers, and the Commissioners of Municipal Inquiry did so at great length, and the same contradiction appears upon the evidence taken by them; some of the pawnbrokers alleged that the notices are given, that they had every reason to believe they were, and others denied it.

48. Is it given in such a way, if it is given, as to enable a person who has pawned his goods to attend the auction?—If a person has given his name and residence correctly, the notice would apprize him of it, if it reached him.

49. It says in this notice that the goods will be sold at the first opportunity; the poor man can scarcely know when the first opportunity will arise; "at the divisional auction-room in Bride-street," it does not state when that opportunity will occur, or what day, or how the sale will take place?—I may mention to your Lordship, that the general impression is, that the notice system is ineffective, and has no other object than to load the poor man with unnecessary expense; it is quite the custom for persons to give fictitious addresses and names, or rather that is the general practice; the notice cannot then be served, but the city marshal receives his fee.

50. Mr. *Hutton.*] How does it load the person who pawns the goods with expense?—The city marshal is entitled to a fee of 3*d.* or 4*d.* according to the sum, and such fee is added to the expense charged against the pawn.

51. *Chairman.*] If there was any overplus arose upon the sale of the article, the pawnbroker would be bound to account with the pledger for the overplus?—He would.

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52. Deducting the expenses of the sale, and the expense of serving him with a notice for which the marshal charges 3*d.* or 4*d.* by the Act?—Yes; the pawnbroker is to pay the city marshal first, whether he serves the notice or not; he generally does so by a compounded sum sometimes paid in advance; I have reason to believe sometimes a year or two in advance.

53. But the precise sum of 3*d.* or 4*d.*, in proportion to the value of the goods, is charged against the poor man, if he wants to settle with the pawnbroker?—He is to pay all the expenses incurred.

54. Mr. *Roche.*] Does the marshal get that 3*d.* or 4*d.* in addition to the 6*l.* a year?—No, that is in lieu of it.

55. *Chairman.*] Have you any other remarks to make as to the licensing system in the city of Dublin at present?—It is under the superintendence of the head office of police, and ample security is required and enforced in Dublin; there is no failure in that; the fees charged by the marshal of 3*d.* or 4*d.*, and 5*s.* a year, are all in British currency, but they are in Irish currency by the statute; the Act says a certain fee and no more shall be charged by the city marshal, but he has converted them into British currency; this fee of 5*s.* he charges in the first instance, and 1*s.* a month afterwards; he has turned them all into British currency; the Act says 12*s.* and no more, which would be only 11*s.* 1*d.* British.

56. Mr. *Hutton.*] Who appoints the marshal?—He is a corporation officer elected by the corporation; this duty and privilege was only thrown upon him by the Act of George III.; it is incidental to the office, and not essential to it.

57. *Chairman.*] He is occupied in attending upon the lord mayor?—He is one of the city State officers.

58. Mr. *Ponsonby.*] What situation of life is he in?—He must be a man of some corporation consequence; he obtains an income of 1,200*l.* or 1,500*l.* a year; the Commissioners of Municipal Inquiry describe the duties of that person; and in addition to the fees of 12*s.* and 5*s.* from pawnbrokers, he has the customary perquisite of appointing one auctioneer.

59. *Chairman.*] He, by the Act, is entitled to sell goods; he does not do so himself, but appoints a substitute?—He lets it out to a gentleman at a certain sum.

60. And takes the profit of it?—He takes a profit upon every thing.

61. Mr. *Hutton.*] Have you any means of knowing how much he gets from that auctioneer for liberty to sell by auction; you say he gets 6*l.* a year, and 5*s.* for entering upon the register?—For registering pawnbrokers' licenses; by the return, he averages his income at 350*l.* a year; for serving the pawnbrokers' notices of sale in the city of Dublin, 250*l.* a year; for his profits upon letting his duty as an auctioneer, 312*l.* a year; making together 912*l.*; he has other fees as city marshal.

62. You quote that from a return laid on the table of the House?—Yes; by the city marshal himself.

63. Then, in point of fact, the city marshal receives 312*l.* a year from one auctioneer for the privilege of selling goods, and making charges to the pawnbrokers?—Precisely so; there are four divisional auctioneers in Dublin; he is entitled to appoint one, and receives 312*l.* a year from his deputy.

64. Who are the other auctioneers appointed by?—Another is appointed by the sword-bearer, who lets it for a certain sum a year, and two are appointed by the Lord Lieutenant.

65. Mr. *Roche.*] Do they all share in the selling of articles pawned?—Those four have the exclusive right of selling pawned goods.

66. Mr. *Hutton.*] One of those pays 312*l.* a year to the city marshal?—Yes.

67. Have you any other means of knowing what the second auctioneer pays the sword-bearer for his privilege of selling?—The same individual who farms from the city marshal, farms also from the sword-bearer; he is a witness here, and will be able to state the amount himself; it appeared upon the inquiry before the Irish Municipal Commissioners, that Mr. Bentley paid 3*l.* a week to the city marshal for that privilege; but immediately afterwards the city marshal raised it to 6*l.* a week, which makes up the 312*l.*; Mr. Bentley is here himself.

68. *Chairman.*]

68. *Chairman.*] Was not the object of giving the auctioneers of pawnbrokers' pledges a monopoly, this; that they are bound to keep a book which may check the pawnbroker's account of the sales, so as to ascertain the sum for which the forfeited pledge was sold, in order that the person to whom those goods belong may get back the overplus, in case it sells for more than the money lent upon them; is not that the case?—The four divisional auctioneers do keep a book specifying the articles sold, and what they fetch, but that duty could be performed as well by any general auctioneer as any of the four; I am not aware that that was the reason why the monopoly was given to the four; the two appointed by the Lord Lieutenant were appointed by the 28 of Geo. III. passed two years afterwards; those two of course pay nothing; the gentleman who farms from the city marshal and the sword-bearer, pays a very large sum.

69. Do they perform the duty in person or by deputy?—A good deal in person; one of them, Mr. Burke called upon me last Saturday, and stated he performed the duty personally, with very few exceptions, and it produces him an income of 1,200*l.* a year.

70. Mr. *Roche.*] Who has the distributing among the four auctioneers the goods to be sold?—The pawnbrokers can select any of the four they please.

71. Mr. *Ponsonby.*] Are they appointed for different quarters of Dublin, or appointed for Dublin in general?—One division is called St. Stephen's Green; the other the Rotunda division; the other the Barrack division, and the other the Workhouse division; those were four old divisions of the police, and an auctioneer was attached to each division, but the name has gone long since; there are still four divisional officers, but the pawnbroker can give his goods to any auctioneer he thinks fit.

72. Mr. *Hutton.*] So that those divisions are of no use whatever?—No, they never were; there could be no advantage in confining them to their own divisions; I was going to observe, that the pawnbrokers very naturally go to the auctioneer with whom they can make the best terms; they have all the same rate of charges; the per centage allowed to the auctioneer is specified in the Act, and they all conform to it; it has been, however, remarked, that the charges are beginning to be thought very high, inasmuch as if auctioneers can derive such large incomes as those two who act as pawnbrokers' auctioneers, those who have nothing to pay, like the Government auctioneers, are allowed the very same charge as those who pay to the corporation officers.

73. The pawnbroker makes a bargain with the auctioneer to sell his pledges upon certain terms?—Yes; the practice is, that the pawnbroker sends his goods into the auction-room, and they are sold the same day, and the auctioneer pays him down the money the day after sale.

74. *Chairman.*] Whether he gets paid for the goods or not?—He scarcely gets paid for more than one-third; they have stated so themselves; he gives credit, and is obliged to do so.

75. And the sum charged for this sale is always levied upon the poor man, if he comes to account with the pawnbroker for his goods which have been sold?—I believe the idea of coming to account with the pawnbroker, is very nearly an entire fallacy; in very few cases is there any thing over for the poor man.

76. What is the rate of interest charged by the Irish Act?—The 26 Geo. III. has a table of interest to be charged, which two years afterwards was found to be too high, and was reduced by the next Act, in order to accommodate the poorer class of borrowers upon easier terms than the former Act two years before; this rate of interest, however, is a great deal higher than the English rate of interest.

77. Mr. *Hutton.*] That reduced rate is the rate now charged?—Yes, by virtue of this Act.

78. *Chairman.*] Is there any means of preventing the pawnbroker charging a higher rate of interest than that allowed by the Act?—He is liable to penalties if he does it.

79. Where do they go?—To the churchwardens for the benefit of the poor; all the penalties upon pawnbrokers go to the poor.

80. Is he not directed also by the Act to exhibit in his shop the table of interest allowed by the Act for the information of the poor man?—He is supposed to have such a table hung up.

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81. Have you visited several shops to see if it is complied with?—I visited many of them, but I was not so fortunate as to see them except in one instance.

82. Was the table hung up in such a place as to be likely to be seen by the poor man?—It was in the shop I saw it; there will be very full evidence given upon that subject by other witnesses.

83. Have you attended any auctions of forfeited pledges in Dublin?—Yes, I have latterly.

84. Have you gone to several of them?—Yes, from curiosity.

85. Were the goods exhibited before they were put up, in such a way as to render it likely that bidders should come forward to purchase them?—They were not.

86. They were not exhibited before the numbers were put up?—No; they were merely brought forward, and put up by the auctioneer, and handed about for a moment, without any previous examination; if there were books to be sold, I could not examine them, to see if they were perfect, or what their value was. The practice is, in Dublin, to bring the goods to the auctioneer about half-an-hour before the sale, and as the greater part of the sales commence at eight or nine o'clock at night, when it is quite dark, there is no means of knowing the value of the articles.

87. Did you see persons attending apparently of the class of people to whom the goods belonged, or were they dealers?—I have a pretty good knowledge of the book-dealers; I know them well, and I saw at five out of six of the sales, the same men formed the bidders; a book was put up to sell one evening, and I gave a bid myself, which seemed to excite notice, and five or six faces were turned about, as if surprised that anybody would interfere with them.

88. It appeared to you that the parties who had pawned their goods had not received, practically, notice to attend at the sales, to see how the goods were disposed of; that the public were not parties to the sale, but a few individuals connected with the trade; is that your impression?—Yes; and I am certain that such is the fact, with very few exceptions, because, as the auctioneers give credit, they must give credit to persons they know; they must know perfectly all those men, and they do know them; it is the same class of men; I know them well; they go by the name of "jobbers," or brokers, who buy to sell again.

89. Mr. *Ponsonby.*] Did it appear to you that the goods went cheaper at the auctions of pawnbrokers' goods than at other auctions?—I am not an attendant at other auctions.

90. Do they appear to go very much below their value?—I rather think, in general, that the goods sold in Dublin, taken as a whole, go for less than the pawnbrokers' claim upon them; I think, in Dublin, the pawnbroker loses upon the articles sold; his charges amount to so much, and the goods are sold to such a disadvantage, he is a loser; there may be rare instances of an overplus.

91. Mr. *Roche.*] Does that arise from the inferiority of the article, or a collusion between the auctioneer and the bidders?—I think, from the place and time of sale, and the bidders being the same description of persons, they have to sell them again, to make a profit, both auctioneer and purchasers know each other, and are united together.

92. *Chairman.*] The object of the auctioneer is not to obtain a surplus over and above the sums lent, to return to the poor man, but to obtain such a sum as will save the pawnbroker?—I should think the auctioneer's duty is to sell to the highest bidder, and to obtain as many bids as he could procure; but it is generally understood that, as soon as the pawnbroker is safe, there is an end of competition, and the poor man is thrown out of view; it is considered as bankrupt stock.

93. That may account for the apparent disinclination to give sufficient publicity to the sales; it would appear, from what you state, that the pawnbrokers and auctioneers find it more to their interest to deal with the same class of persons, and not to give facilities to the public for attending the sales, in order to obtain an overplus for the poor man?—The system undoubtedly is, that they care very little about the public; advertisements appear in the newspapers about the sales, but the time of night fixed is a time when no respectable party would like to go, such as eight, nine or ten at night; last week I was at a sale at half-past nine, and the class of persons who were there to be bidders, appeared more like pickpockets. One pawnbroker's auctioneer, has a house, which I assume to be his, where the windows are tumbling out, and the place was covered with filth; no respectable person would go there.

94. But there is a general understanding that the bidders are to bid up to save the pawnbroker, and not beyond?—The pawnbroker buys in, if he is not safe. *G. Matheus*, Esq. 22 May 1838.

95. Mr. *Redington.*] Do you consider that the lateness of those hours at which the sales are held prevents the persons attending whose goods are sold?—No; I do not think they care much about it; so much is obtained upon the goods, they care not much about them afterwards.

96. Are they not of that class of people, that eight or nine in the evening suits them better than an earlier hour in the day?—The reason given is, that the bidders cannot attend earlier; plate is sold at about eight o'clock.

97. Mr. *Ponsonby.*] Are there any regular times for sales?—No; except that the pawnbrokers have an agreement amongst themselves, that no auction for plate will be going on at two auction-rooms the same night.

98. Mr. *Hutton.*] Are there any auction sales, in point of fact, except pawnbrokers' auction sales, conducted at night?—No; other auctions are conducted in open daylight.

99. Mr. *Redington.*] No book sales at night?—No; Mr. Sharp, the principal book auctioneer, always sells in the day.

100. *Chairman.*] Is the plate ever cleaned up before the sale?—No; the articles are never cleaned; they are sent in the same state a few minutes before the sale, just as originally received by the pawnbroker.

101. Mr. *Hutton.*] Have you any means of knowing how the duty upon those sales are paid to the Government?—The auction duty is paid monthly to the Government, in Dublin; I have inquired at the Excise-office, and found there was a strong impression there, that, with the exception of Dublin, very little auction duty is paid in any part of Ireland.

102. Does a Government officer attend at those sales, to ascertain the amount of duty?—Never; the auctioneer is a licensed auctioneer, and he makes a return to the Excise-office periodically; I believe he is sworn to the accuracy of it; he makes a return monthly, and settles the amount of duty.

103. So far as the payment of the duty is concerned, it is the interest that those articles should be sold at the lowest rate at which they can go?—Yes, certainly.

104. What is that duty?—It is fixed by the Revenue Acts of Parliament.

105. *Chairman.*] Do you know whether the books of sale are kept correctly by the auctioneer or not?—I have seen them, and examined several, and they appear to be correctly kept.

106. That is to say, they *bonâ fide* set down the price for which the goods sell?—Yes, they do, in Dublin.

107. You do not speak as to the country?—No; for I understand there is nothing of the kind observed there.

108. Mr. *Roche.*] Do you think that all the pawned articles are brought to auction in Dublin, or are any sold surreptitiously?—It would be difficult for me to answer that question; in the country parts, the evidence that has been obtained shows that that practice prevails; I have had correspondence with the chief constables of police and other local authorities, and the universal belief is, that out of Dublin no regard is paid to selling or accounting for the articles.

109. In Dublin you think it is done with regularity?—With as much regularity, perhaps, as the business admits of.

110. *Chairman.*] Have you got a list of the pawnbrokers in Ireland?—I called on the chief constables of police within the last three months to send me in a return of all the persons in their districts carrying on the business of a pawnbroker, and I have got those returns, but I have not got them here.

111. Have you compared them with the returns furnished by the city marshal according to the order of the House?—Yes; and it appears in many cases that the city marshal's returns are not so correct as the chief constable's; that there are many persons carrying on the business of whom he has no knowledge.

112. That proves there are more persons exercising the trade of a pawnbroker in Ireland than those who have lodged securities?—It will also appear, there are persons in this list which the marshal certifies as having lodged securities, who have never lodged any security at all.

113. And besides, that others not in this return, exercise the business?—Yes; in the town of Carlow the chief constable returns three, and the city marshal one; the city marshal is not an officer who has any inquisitorial power; he is confined to registering the certificates; he cannot leave Dublin, and has no control

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over them; he registers the pawnbroker when he commences business, and receives monthly returns; those monthly returns he is supposed to prepare an abstract of and lay before Parliament, but he has never done so.

114. Practically speaking, do you see any great advantage in those returns?—Not the least.

115. It is putting a very considerable burthen on the pawnbroker and upon the city marshal, without any benefit to the public?—It imposes a fee of 12 *s.* upon the pawnbroker for the benefit of the marshal.

116. If the fee is paid, is the return looked after?—The fee is looked after; returns have been laid before the Irish Parliament, and I find on the Journals for the year 1788, the year after the Act came into force, 51 pawnbrokers had commenced business; one in Cork, one in Waterford, and the rest in Dublin; but five in the first year quited the business, reducing the number to 46.

117. Mr. *Hutton.*] You seem to be of opinion that in Dublin, generally speaking, matters are conducted with propriety; do you suppose if there was an officer appointed to each locality, to superintend the proceedings of pawnbrokers, that that would effectuate an improvement?—The first great improvement, as it strikes me, would be, that every pawnbroker should have an annual license renewable, on proof of his good conduct.

118. *Chairman.*] Do you admit that the business in Dublin is properly conducted, generally speaking?—There is a marked distinction between Dublin and the country; but the sales of goods admit of very great improvement, and the fact of the not giving notice by the city marshal, requires its total abolition.

119. The exhibition of tables of interest, the way the sales are conducted, which are the two most material things as affecting the charge upon the poor, are not conducted in such a way as you would approve of?—By no means.

120. Mr. *Hutton.*] I wish to know how you think those defects might be improved?—I think the first thing would be, that every person carrying on the business of a pawnbroker should have an annual license, renewable upon good conduct, and of which he should be deprived upon proof of misconduct, and for that license he should pay a certain sum, not excessive nor too small; and upon that subject I may say I have got upon the 2d of February 1788, a resolution of the Irish House—"That it is the opinion of this Committee that a duty of 10 *l.* be paid by every person carrying on the business of a pawnbroker in Ireland, from the 25th of March 1788, to the 25th March 1789," but which like many other Irish resolutions was never taken notice of in framing the Act.

121. That is the date of the schedule of reduced interest?—Yes.

122. That interest was reduced, but the license of 10 *l.* was not introduced into the Act?—No.

123. Mr. *Roche.*] That 10 *l.* was more valuable then than now?—Yes; but the profits were more valuable too.

124. *Chairman.*] Have you had any communication with pawnbrokers upon the subject of the alteration of the law?—I have had communications with pawnbrokers in different parts of Ireland, Cork, Belfast, Newry, Galway, Derry and Waterford, and they are all exceedingly anxious that the present Act be amended in a variety of respects.

125. What are the points upon which they are most desirous it should be altered?—They are desirous of an annual license, in proportion to the population of the town in which they live; the pawnbrokers at Cork seem to point at about 50 *l.*; Belfast 40 *l.* and running down to something like 10 *l.* a year, but that would be the minimum; and that, in addition to the payment of this license, they should be subject to the inspection of some accredited officer or officers, and that the monthly returns at present supposed to be transmitted to the city marshal, and of which no use is made, should be done away with.

126. And that the fee should be done away with?—Yes; that is the principal part, that no person should carry on the business of a pawnbroker without being under a proper solvent security, respecting whom due inquiry would be made every year, on the renewal of his license.

127. Are there any other points upon which they wish for regulation?—They are anxious themselves, as a body, that the interest of the person pawning the goods should be more attended to than it is at present, and the general opinion is, amongst them, that the duplicate given to the person, when goods are pawned, should contain

contain more information than it does; that it should apprise him when the goods are to be sold, and that he is entitled to the overplus.

128. Mr. *Ponsonby.*] Does the pawnbroker fill up the duplicate with a list of all the articles that the person pawning the goods leaves in his charge?—He should do so; the Act requires that the duplicate should be on strong paper, and requires a sufficient specification; but the practice is, if the articles have got very long names, to write them out in a very abridged form; such as for blanket—blkt.

129. Still he gives a list of the articles the person leaves?—Yes, but he is supposed to give more information than the duplicate gives.

130. Mr. *Roche.*] He may have two motives in that; first the law requires it; and if the first certificate happens to be lost, he is entitled to a price for a second, upon which he obtains a profit?—Yes, and a very large profit.

131. *Chairman.*] He charges 1*d.* for that duplicate?—Yes, on all sums lent amounting to 10*s.* or under; while the English pawnbrokers must give duplicates for all articles at 5*s.* and under without any charge; and from 5*s.* to 10*s.* the English pawnbroker charges a halfpenny for the duplicate, and from 10*s.* to 20*s.*, 1*d.*

132. The Irish pawnbroker charges 1*d.* upon all duplicates?—Upon all sums of 10*s.* and under; if it is 10*s.* up to 40*s.*, 2*d.*

133. Mr. *Ponsonby.*] What is the maximum the English pawnbroker charges for tickets?—Upon all sums over 5*l.*, 4*d.*; it is the same maximum in both countries; in Ireland the maximum rate is charged on 40*s.*, and in England on 5*l.*

134. Mr. *Redington.*] Those pawnbrokers with whom you have consulted do not propose that any returns should be made by them in future?—There seems to be a general opinion that the present return system, being a nullity, was of no use, but that they would be subject to any return the House should call upon them for; and their books would be subject to the inspection either of the chief constable of police, or some other person appointed for the purpose.

135. Have you derived your opinion from the more wealthy pawnbrokers, or is it the general opinion?—With the exception of Belfast, it is the greatest opinion, but at Belfast there was a difference of opinion; those who had newly entered into the business were against any license or any inspection; they would rather have the present system continue.

136. Those who have been in the business longest are anxious for the alte ations you have stated?—Those persons longest in the trade are anxious to make it respectable, and object to the irregularities to which it is at present subject.

137. Mr. *Ponsonby.*] According to the Act, are the pawnbroker's books open to inspection?—Open to the inspection of any person who has pawned goods.

138. Not by the city marshal?—No, he is perfectly powerless, except to obtain his fees.

139. Mr. *Hutton.*] In order to obtain the inspection of the books of a pawnbroker you must have pawned goods with him?—Yes.

140. Having done so, how far does the right extend?—You have a full righ to see the history of your own particular article.

141. Not a general right of inspection?—No.

142. Mr. *Roche.*] Do you know whether any pawnbroker, excited by the love of competition, and to get business, charges less interest?—The love of business induces him not to charge less interest, but to advance larger sums upon goods.

143. *Chairman.*] Do they not, in the north, charge less interest?—Yes, some of them do; but the maximum rate allowed by the Act is considered the minimum by most of them.

144 Mr. *Hutton.*] There is often a larger interest charged than the maximum allowed?—I do not think that, but in practice the maximum is the minimum; they may charge less, but in very few instances they do it; the only institution that regularly charges less, is the new institution in Limerick.

145. *Chairman.*] If all the pawnbrokers who have been longest in business are anxious to have a license, with a large fee, would it not appear as if they were not unwilling to see a check put upon the increase of the number of their competitors in the trade?—I do not think it proceeds from that motive; there have been, for several years past, what I may call a *dead set* made at the pawnbrokers for the many irregularities imputed to them; there have been many complaints of the total want of control, and the inefficacy of the present laws, and those more respectable, are anxious to free themselves from such imputations, but it is impossible to do so as the law stands.

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146. Confining your attention to the sum they propose to pay for a license, as for example, the sum of 50*l.*, would not that practically have the effect of preventing many persons who would otherwise enter the trade, from doing so?—I do not know that it would prevent a great many, because, a man entering the business of a pawnbroker must be a man of considerable capital; in the city of Cork 50*l.* would not be a large sum for him to pay; the pawnbrokers would also be anxious to make some arrangements about the auction duty, which, except in Dublin, is very badly accounted for, and it has been suggested, that this licensing-fee should be in lieu of auction duty, and that pawnbrokers' goods should be sold, like bankrupts' stock, duty free.

147. Mr. *Hutton.*] You suggest that your opinion is, that a license should be granted by the Government; what department of the Government would you vest such a power in?—I meant by the Government, the Irish Civil Government; at this moment they license a variety of public traders; they license all venders of gunpowder and dealers in arms.

148. I wish the Committee to know where you would vest that sort of power; by the municipal officers you seem to say it has been abused; all I want to know is, who you would make the officer to perform this duty?—I would not be at all for vesting it in the corporations of Ireland; if a power of inspection be necessary, and a license to secure the working of the Act, I think the responsibility should rest with the executive; I think, if it was divided among every corporation it would become, as it is now, a nullity in the course of a few years.

149. *Chairman.*] And a different system exists in different towns?—Yes.

150. Mr. *Hutton.*] Do you not think it would become a nullity with a Government which has so much other business to attend to?—No, I do not think it would; and I may add, it has been talked about for the last year or two, that if a license was put upon the pawnbrokers, and the amount would exceed the expense of carrying the Act into effect, whether the surplus might not be applied in organizing loan funds.

151. Mr. *Redington.*] How are the auctioneers in the country appointed?—By the grand juries of the counties; but it would appear in a great many of the counties there are no regularly appointed auctioneers.

152. Mr. *Ponsonby.*] Do the auctions in the country take place by regularly appointed auctioneers, or by the pawnbrokers themselves?—On inquiry at the Excise-office I could find no information of any auction in the country of pawnbrokers' goods, and, as far as the payment of duty was concerned, they never heard of such a thing being returned to the office.

153. Should you not infer that the sales are conducted by themselves?—Yes, or by auctioneers who pay no duty.

154. Mr. *Redington.*] What is the highest penalty to be recovered from a pawnbroker for misconduct?—There is a penalty of 10*l.* if he carries on the business of a publican at the same time, and several penalties of 20*s.* and 40*s.*; 40*s.* seems the highest, except the 10*l.*

155. Mr. *Hutton.*] Are all those penalties recoverable by the churchwardens?—Yes, most unfortunately, and they are to be applied to the benefit of the poor of the parish. At present, pawnbrokers should begin business at 10 o'clock; in practice they do not regard that, although liable to penalties if they begin earlier; but they run the risk of that; and it is proposed, if any amendment of the law takes place, that they should begin at eight, and close at eight; in fact, there is no reason why the shop should be kept shut after eight in the morning, or nine, at all events.

156. Mr. *Corry.*] You suggest that the pawnbrokers should have an annual license to be withdrawn or renewed according to their conduct; is there any other suggestion you would make?—That they should be subject to occasional uncertain inspection throughout the year by an officer appointed, the chief constable of police, or some officer appointed by the Government.

Mr. *John William Hobbs Haynes*, was called in; and Examined.

Mr. *J. W. H. Haynes.*

157. *Chairman.*] HOW are you at present employed?—I am the conductor of Mr. Barrington's Mont de Piété in Limerick.

158. Were you originally a pawnbroker?—Yes, for 14 years.

159. Were

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159. Were your father and any other members of your family in the trade?—My father-in-law and my brother-in-law were both pawnbrokers; none of my own family.

160. Have you a thorough knowledge of the way in which that business is transacted in Ireland?—Yes, out of Dublin.

161. Where did you act as a pawnbroker?—In Mallow, county of Cork.

162. Your experience is confined more to the southern parts of Ireland than the northern?—Entirely the southern.

163. Have the kindness to state what you consider that point of the law relating to the trade of a pawnbroker which at present presses most severely upon the poor, and is most inefficient in the objects for which it was enacted?—I think, first, as regards the rate of interest, that a pawnbroker may charge whatever interest he pleases; and I have got a set of books here upon which I will show the Committee that there is in Dublin the grossest extortion exercised by the pawnbrokers in their charges upon the poor, particularly the very lowest classes.

164. When you say they may do so, the law does not permit them to charge any rate of interest; but you mean that the law is inefficient in preventing them from acting in contravention to its provisions?—The 19th section of the 28th of George III. has a table of interest by which pawnbrokers are guided, and it is only mandatory, it only says that no higher or greater rate of interest shall be demanded or received by any pawnbroker upon any pretence whatever; there is no penalty.

165. And, in point of fact, from your knowledge of the trade, you believe that a larger interest is taken from the persons who pledge goods than that which is permitted by the statute?—I am confident of it.

166. Will you produce the book you said you had?—[*The Witness produced a book.*]—Here is a Dublin pawnbroker's book, his interest-book, and I find here there is 5*d.* charged for a loan of 5*d.*

167. What is this book?—It is a book comprising the articles which are released each day; they are entered in that book, the principal in one column and the interest in the other.

168. How did you come into possession of this book?—I got it from the person who kept the book, in whose hand-writing it is.

169. From the clerk who kept it for the pawnbroker?—Yes.

170. And this is the book that was used in the common transactions of the pawnbroker?—It is the common interest-book.

171. What is the name of the person?—His name is Galbraith.

172. Whose clerk was he?—A Mr. Eades of Dublin.

173. In what year was that book kept?—From 1822 to 1827; I believe it is part of those years; I have the whole transactions in another book.

174. Now have the goodness to point out those places; just state them?—I had better first premise, that the Act recites that for every pledge upon which there shall have been lent any sum above 1*s.*, that is the only sum upon which they can claim any interest, any sum under 1*s.* they are not allowed to take any interest for, if the law could be carried into effect; but here is 5*d.* for a loan of 5*d.*, and 8*d.* for 10*d.*

175. Mr. *Roche.*] For what period?—I should suppose that the 8*d.* for 10*d.* was upon 14 months, and that they charged one halfpenny a month; I cannot answer that question precisely, but, from what I have found out, I believe it is to be so.

176. Mr. *Ponsonby.*] Does that book give you any *data* for forming that opinion?—It gives the date of the pledge, and the interest received, except when it is a large sum, and then they refer to the pledging number, which is the number upon the original transaction, upon 10*d.* 6½*d.* is charged.

177. That book gives the sum charged as interest by the pawnbroker when the article is released?—Yes.

178. Upon an article which was pledged for 5*d.*, the interest charged is 5*d.* also?—Yes; they could not legally charge that; if the pawnbroker chose to keep it in for 14 months, they could not charge more than 1*d.* for a ticket for any sum under 1*s.*

179. The man received 5*d.* for an article he left with the pawnbroker, and paid 10*d.* to get it out again?—Yes.

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180. Mr. *Corry.*] Is that a single transaction, or does it often occur?—It occurs throughout the whole book.

181. Mr. *Redington.*] Do you believe that to be the general practice in Dublin?—I believe it is.

182. *Chairman.*] Do you find any instances of 2*d.* or 3*d.* lent?—Here is an entry of 4*d.*, and 1*d.* is charged; that is correct; I have 5*d.* and 5*d.* charged, 10*d.* and 8*d.*, 10*d.* and 6*d.*, and 10*d.* and 6½*d.*

183. Ten-pence lent, and on repayment sixpence-halfpenny charged for the use of that sum?—Yes; here is another, 7½*d.* charged in two entries, at the same time.

184. Mr. *Redington.*] That might have been for 14 years or 14 months?—It is 7½*d.*; I suppose it is for 13 months.

185. That is only conjecture?—Yes; but they would not keep it longer than 14 or 15 months; here is another, 5*d.* and 5*d.*; here is another entry, 5*d.* and 5*d.*; and upon every single entry of 10*d.*, I find in this book there is 1½*d.* charged for it; that is illegal; not a single entry of 10*d.* will the Committee find, without 1½*d.* entered, which is quite illegal.

186. *Chairman.*] No sum under 1*s.* ought to pay any interest?—No.

187. Except 1*d.* for the duplicate?—Yes; the sum lent should be over 1*s.*; in all Ireland, when the sum lent is over 1*s.*, they charge a halfpenny interest, and for 2*s.*, 1*d.*; but it should be over two and over one.

188. Do they charge the rate of interest in English currency or Irish currency?—In British currency.

189. Do they lend in British?—Yes, they do at present.

190. They charge the rate of interest in that currency?—Yes.

191. Mr. *Redington.*] In large towns, is a large proportion of the sums lent of that amount?—Yes, a very large proportion of them.

192. *Chairman.*] If a poor man was to demur at this charge, what remedy would he have?—A summons before a magistrate; but the law does not provide any penalty against the pawnbroker.

193. The only redress he gets is to get the over-charge abated, a penny or a halfpenny, whatever it may be, and get his goods at the legal rate of interest; but he does not recover any penalty from the pawnbroker for having put him to the inconvenience of summoning him?—None whatever; there is no penalty in the Act; they take advantage always of the first 2*s.* over 1*l.*; they charge 1*d.* for that, whereas the Act is very clear, and says a halfpenny for every 2*s.* over 1*l.*; they charge 7*d.* for a loan of 1*l.*, and 1*s.* for 2*l.*

194. Mr. *Redington.*] How do you know that that sum was merely lent for a month from that book?—I should suppose so.

195. It is merely supposition?—There is no doubt of it; here is 10*s.*, 5*d.*, that is a month's interest, 3*d.* interest and 2*d.* for the ticket.

196. Mr. *Lucas.*] Is there a number attached to each entry?—No, there is not, except to some large sums, that the owner of the establishment may refer to them, and see that they are marked off in the pledging-book of the day.

197. What means have you of ascertaining for what period the interest is charged?—By my own experience.

198. Are there any means in the book itself of ascertaining that?—No.

199. Mr. *Roche.*] Ought there to be, in point of law?—No; I will explain it to you. A pawnbroker ought to make his clerk enter in his releasing-book the number of each pledge released, so that he could see No. 27,467 was released that day, upon which 10*s.* was lent; it is his duty to put down the number and the interest; and if he was summoned before a magistrate the latter could demand his book, and by reference to the number of the pledge, he could refer to the day-book, and see if it was correct; but according as this book is kept, there is no check whatever.

200. Mr. *Lucas.*] Have you any means of knowing whether the pawnbroker, whose clerk kept that book, had any other book more regularly kept than that?—He had not; I have the clerk in town with me.

201. You conceive that is the only book in which the transactions were entered?—Yes.

202. *Chairman.*] From your knowledge of the trade generally, do you believe that book is a fair specimen of the way in which pawnbrokers' books are kept?—I believe many of them do not keep them so regularly; the great majority of them; here you can refer to any day, and it is carried to a kind of journal, debtor and creditor; if your Lordship will look to this, you will find, that on the 27th of December,

December, by this book, it appears that the cash lent was 42*l.* 15*s.* 8*d.*, and the cash received, 140*l.* 17*s.* 10*d.*, and 31*l.* 17*s.* 2*d.* was the profit upon the 140*l.* 17*s.*; if you refer to these books, they are both corroborative that that was the amount released on the 27th of December.

203. That is the total of the day's transactions?—Yes; the total of the day's releasing transactions.

204. Mr. *Corry.*] You have stated, you were able to calculate the length of time for which the money was lent by the charges for interest?—Yes.

205. If the charges are exorbitant, how can you make any calculation?—Here is a charge of 5*s.* for a month; 2½*d.* profit; that is, 1½*d.* interest and 1*d.* for the ticket.

206. That is the proper charge?—Yes.

207. Where there is an improper charge, how can you tell?—The only way I can calculate is from what I learnt in Dublin; that the pawnbrokers, after the first month, if the sum lent is only 3*d.*, they charge one halfpenny a month; but that is illegal for a loan of 3*d.*, and 1*d.* for the ticket besides.

208. Mr. *Lucas.*] You have stated how you came into the possession of the book; how did it happen that the clerk who was appointed to keep that book got it into his possession?—The clerk got them from the master, who is out of the business, for the purpose of examination before this Committee.

209. Have you got any other book of the same kind?—I have got a day-book of the same man's.

210. Mr. *Roche.*] Of the same pawnbroker?—Yes; they are all the same in Dublin.

211. *Chairman.*] Was this person in a large business?—Yes; he was making 1,500*l.* a year, and some years more; in one day he received 34*l.* profit.

212. Have you got any similar books from Cork?—No; this is the only specimen of a Cork book I have, and it is only to show if a pawnbroker was summoned before the magistrates to produce his book, unless the magistrate understood Sanscrit or some extraordinary language, he could never make out this book.—[*The same was handed in.*]

213. In case a pawnbroker omits to place a table of interest in his shop, what penalty is he liable to for that omission?—There is no penalty whatever on him.

214. In your knowledge of the trade, did you ever know a person to be prosecuted, or to suffer any inconvenience from not having placed a table of interest in his shop?—It is never done in the towns of Ireland, with very few exceptions.

215. Where it is done, is it put where people coming to the shop could read it?—I recollect about eight or nine years ago the pawnbrokers of Cork had a meeting upon the subject of their table of interest; they had a meeting in consequence of some communications from the magistrates upon the subject, and they took counsel's opinion, which was, I believe, that they were to hang up a table of interest, that the law was mandatory, but there was no penalty; they got a table of interest printed on slips of paper about the size of this *(half a sheet of foolscap)* and they put it up in the offices; but in the offices I saw it in, it was not in such a place that people could read it; the only section of the Act that refers to it is the 30th section of the 26 of Geo. III., and it says "That for the better making known the different rates of profit on interest upon money that pawnbrokers should be authorized to receive, be it further enacted, that all and every person who shall carry on the trade or business of a pawnbroker, shall cause to be painted or printed in large legible characters the aforesaid rates and profits allowed by this Act, together with the rates or prices of the respective duplicates, and hang up the same in some conspicuous part of each office, shop or warehouse where they shall carry on business," and no penalty for not doing so.

216. Mr. *Young.*] Is it not an understood thing in every Act where a penalty is not specified, that the offence is a misdemeanor, and may be so treated?—I am not aware of that.

217. Sir *William Somerville.*] Do they not enter into a bond for the proper conduct of the business?—They are bound to lodge a security with the treasurer of the county in a county, and in a city with the town clerk.

218. Do they not bind themselves by the bond to fulfil all the regulations of the Act?—Yes.

219. Would they not forfeit their bonds if they violated the Act?—I am not

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lawyer enough to answer that; there are several pawnbrokers who have not given any bond at all.

220. *Chairman.*] From your knowledge of the trade, what necessity does there appear to exist for charging a higher rate of interest in Ireland than is practically found to be necessary in England?—I do know the necessity for it; it is the law.

221. You do not think it necessary?—No; no person can get into the pawnbroking business who has not a sufficient capital, and the persons who extort from the poor are those who enter it with small capitals, and gripe all they can from the poor.

222. Is there any thing in the nature of the pawnbroking business that should require a higher rate of interest in Ireland than in England?—None whatever.

223. Mr. *Hutton.*] Is not a higher rate of interest paid in Ireland than in England, in all other cases?—I believe money is easier got in England than in Ireland.

224. *Chairman.*] Have you charged the same rate of interest as that which is charged in England, at the Mont de Piété at Limerick?—No; we have abolished ticket-money, which is a great tax upon the people, and we lend any thing under 2*s.* for a farthing for a month.

225. Is that the legal rate of interest?—It is rather less; the English pawnbroker will charge a halfpenny for any thing under 2*s.* 6*d.*

226. What would an Irish pawnbroker charge for it?—Two-pence for 2*s.*

227. You can prepare a table, showing the rate of interest payable in England and in Ireland, and the Mont de Piété?—Yes, I can.

228. In point of fact, the profit upon the price of the tickets you consider as much a charge upon the poor man as if additional interest was paid?—Yes; I take that as a charge in two ways; first, as to the size of the ticket, which is so very small, that from the miserable state of the apparel, the poor persons who pledge it is liable to be lost; I think the pawnbroker ought to receive remuneration for the ticket, if it is of a proper size.

229. Have you abolished that charge?—Yes; the Irish pawnbroker may receive the same as the English, but the ticket ought to be sufficiently large to contain all the articles pledged, which they are not now; and to avoid which they enter "Sundries in cover," and if they lend 20*s.* upon several articles, they will not say, "Coat, pantaloons and waistcoat," but, "Sundries in cover;" and the duplicate being so small, and their apparel so wretched, they are often lost, and then they are charged 2*d.* for what is called a stop-ticket, and in some offices 4*d.* for the form of declaration, not allowed by the Act.

230. Though you have a reduced rate of interest, at the Mont de Piété, do you advance as large a sum of money to the persons pledging goods as ordinary pawnbrokers do?—No, decidedly not; I should not run such a risk.

231. You make a less profitable trade than the pawnbrokers, but you save yourself by advancing a less sum of money?—Yes; so as to secure the release of the article.

232. What is about the value you lend upon the goods?—Upon some goods, if they are soiled, we do not lend a quarter, and other articles we do not take in; upon soft goods we lend about one-third of the value.

233. What do you mean by soft goods?—Clothes, bed-clothes and wearing apparel.

234. Mr. *Hutton.*] In opposition to trinkets?—Yes.

235. *Chairman.*] Or furniture?—That we do not take in, unless a person is absolutely distressed and wants to pay rent, and tells a case of distress; then my directions are to relieve him as far as I can with propriety.

236. Your profits are of a safer description than those received by ordinary pawnbrokers, though they are lower, upon each individual transaction, than that which a pawnbroker makes?—Yes; the pawnbrokers run great risks to get business.

237. Mr. *Hutton.*] You have said you advance about one-third of the value upon soft goods; upon watches and plate, and others coming under the term hard goods, what proportion of the value do you lend upon them?—Silver and gold I weigh, and lend four-fifths of the value, leaving one-fifth to cover the expenses at the end of the year.

238. Your transactions in these goods are small?—Yes, in consequence of the want of sufficient funds; Mr. Barrington gave me directions to contract the larger loans,

loans, and to keep the stock I had on hand for the relief of the small class of borrowers.

239. Consequently, if the Mont de Piété was the only establishment of the kind at Limerick, a large class of borrowers would not be accommodated with money by you?—Clearly so.

240. Mr. *Roche.*] Would it not have an effect to make a pawner more alert to redeem his article, when he does not get so much for it?—Yes, it has that effect, as our weekly release bills will show.

241. *Chairman.*] Your business is upon the system of a more rapid return of profit than theirs?—Yes, I think so, more than ever I knew of in any establishment; my father-in-law had as much stock in one of his concerns as we have in ours, but he made over 50 per cent. profit, near 60 per cent. profit upon his stock; I recollect his telling me that, and I saw his books, he made nearly 2,000*l.* a year upon 3,500*l.* stock, but his returns were not so rapid as ours per annum; they were a heavier description of pledges; for instance, he lent 200*l.* upon a lady's head-dress and necklace; he lent also 40*l.* upon two diamonds, and heavy sums to that amount.

242. If a poor person was to come to you, whose object was to raise the largest sum they possibly could upon their pledge, and who were comparatively indifferent as to the amount of interest you charged, they would find that your establishment was not one at which they would obtain the accommodation they required?—No; they do not come to us now; when first we started, they thought we would lend any money upon pledges; there are a great many of what the pawnbrokers know by the name of stickers; people who purchase goods and pledge them at pawn-offices, and get what they can more than they cost them, and there leave them.

243. The small amount you lend them upon the value of the goods induces them to go to other pawnbrokers?—Yes.

244. If yours was the only establishment at Limerick, even supposing that your capital was unlimited, would every class of borrowers be accommodated upon the terms upon which you would propose to do business?—O yes, certainly; we could accommodate every class of borrower at a cheaper rate than we do now.

245. You stated you only gave one-third of the value of the goods, and there were a class who wished to get much more?—Those are a class of borrowers which, if the pawnbroker knew themselves who they were, they would not lend them the money they claim.

246. There are other persons who, from distress, must want to get a larger sum than one-third, and that class of borrowers you would not be able to accommodate?—Certainly not; that class of borrowers we would not accommodate to the extent they want, and which they get from the pawn-offices now.

247. Mr. *Hutton.*] Has the establishment of the Mont de Piété entered into the same securities as the other pawnbrokers in Limerick?—I am a licensed pawnbroker myself, and under the new Loan Act, by lodging our rules it is sufficient for conducting the establishment of the Mont de Piété.

248. Do you suppose that the interest or profit under your present plan will pay the cost of the Limerick establishment?—Yes, no question of it in the world; it is paying 30 per cent. by rapid releasing; I shall be able to show the Committee the rate of interest we are making now regularly per month and per week, and the system of the whole establishment, and that we are making 30 per cent. upon the stock employed, which will certainly pay all expenses.

249. Mr. *Roche.*] Your expectation is not only to raise a sum necessary to pay the expenses, but leave a surplus applicable to the public good?—Yes, no doubt of it; and if I had 10,000*l.* in my hand when it commenced I shall be able to show I could give, at the end of two years, 500*l.* in charity, and at the end of three years 1,000*l.*

250. Mr. *Lucas.*] Do you conceive your establishment supplies funds to many persons who otherwise would be obliged to pay a larger interest?—Yes, unquestionably, and particularly the huxters in Limerick; there is a description of persons who live entirely on their dealings in huxtering eggs, potatoes and other things of that kind, of a very poor description; they deal almost entirely with us, they pledge in the morning their bed-clothes for as much money as will buy six or eight stone of potatoes; they hold them up until evening, and then dispose of them at a higher rate to those persons who are not able to come in the morning early to buy from the farmers; they pledge with us for 3*s.* 11*d.* their bed-clothes; they are going as

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close as they can upon the 4*s.*, for which they only pay us in the evening a half-penny; they invariably release the articles in the evening, and support their families upon the profit of what they have borrowed in the day.

251. Do you conceive that any of your customers come from the country, or are they confined to the town?—The entire face of the country is directed to our establishment, as I consider, in consequence of Mr. Barrington's name; people have more confidence in an establishment with which his name is connected than with any other; I know that of my own knowledge.

252. Have you any means of knowing what interest persons residing in the country would otherwise be obliged to pay for such loans as you make to them?—To-morrow I shall be able to show you the transactions of several days' releasing; in one column the consecutive numbers, in the next the money lent, in another the interest we charge, and in the end column the interest pawnbrokers charge upon the very same sum.

253. My question was not directed to the pawnbrokers; I wish to ask what interest, persons residing in the country, who now come to you, would, in your opinion, be obliged to pay, if they borrowed from farmers in the neighbourhood, and not from pawnbrokers?—I cannot answer that question; I do not know any farmers rich enough in our country to lend money; there may be some.

254. You do not know the transactions of the country people there, as to loans?—No, I have heard of some loan transactions; I have heard of passing notes, to be paid after harvest, the interest amounting to half what they borrow.

255. Your object being to lend them money on more beneficial terms than what they can get from pawnbrokers, you have not directed your attention to the country?—No; at the general average rate of interest, when we receive 7*l.*, the pawnbrokers' would amount to 17*l.*

256. Mr. *Hutton.*] If you were so called upon to close this establishment of the Mont de Piété, and sell the deposits, and did not rely upon their release, but they remained in hand, would there be a loss or a gain upon the whole establishment?—There would be no loss, I have prepared myself for that, I expected it would be a question; there would be no loss up to the present day, nor up to the end of the year; if we were to call in all our money at the end of 12 months we should sustain no loss, though our present staff would be able to conduct double the business.

257. Do you conceive there would be a gain?—The business of a pawnbroker is that of a banker in a small way, with this difference, that a pawnbroker receives only his profit at the time the goods are released or sold, the banker receives his profit on the instant a bill is discounted with him, therefore our first month's transactions would be a very unfair calculation to make, because the first month we did not make 7*l.*, whereas in our 12th month we make near 100*l.*—over 90*l.*; that is the last month; the interest received on the first month for 20*l.* where it amounted to 8*s.*, would now amount to 1*l.* 10*l.*, or 1*l.* 15*s.*, or 1*l.* 18*s.*, but in no instance upon the releasing of certain goods in our establishment can it be so low as it was the first month.

258. I presume that at the end of each year you estimate as nearly as you can the actual value of the pledges in store, and calculate the amount of interest due upon the sums advanced, so as to be able to calculate the yearly profit or loss on your establishment, valuing the pledges at the sum they would then bring if sold by auction?—After paying the overplus to the poor, which would be enormous, there would not be much gain; it is not to be expected in the first year, after selling and paying the overplus, we should have enough to pay every thing.

259. Mr. *Roche.*] Have you had any public auction?—No, not yet.

260. When you have you will have a considerable sum to pay?—Yes; because when we were 12 months in business I took an inventory, and went through them with the head valuator, and valued them again.

261. Have you such a particular account of the owner of each article, that you can give a notice to each party when the sale takes place?—Yes.

262. Have you devised any means to prevent the reception of goods stolen, or otherwise improperly come by?—No, only not taking them in before legal hours, or having a close watch upon the persons bringing them; I have no better means than the pawnbrokers, I mean the honest pawnbrokers, employ to detect thefts; but since we commenced business I have transported three, and handed several others over to the authorities.

263. *Chairman.*] You stated just now when your sales would occur there would be

be a large sum to pay to the poor people as overplus?—Yes, on several articles there will.

264. You have not taken into account that there will be any loss upon any one article that has been pledged with you?—With the exception of a blanket that has been a little moth eaten, notwithstanding our caution; because there is a person who is employed to go round every day, and to brush and examine every article; with the exception of that, and I believe a pair of pantaloons, all the other things will undoubtedly bring the money lent on them, and many of them leave a large overplus.

265. If you are mistaken in that idea, and if they sell for considerably less than you anticipate, the loss will have to be borne by the establishment?—Indeed I think I have a right to bear it myself.

266. If the pawnbrokers were to incur a similar loss, it might be balanced by the gains they make upon the overplus not demanded by the persons who pledge the goods?—Yes, they generally put one thing against the other.

267. Which is a class of profit you will not make?—We cannot make it if it is claimed; if it is not claimed at the end of a certain time, the overplus will go to the benefit of Barrington's Hospital.

268. What is the value of the goods you have now prepared for sale?—None will be prepared before I go back.

269. What do you suppose is the amount of goods you have in hand you will have to sell?—I should suppose not 100 *l.*, nor 60 *l.*

270. A large proportion of the articles you have taken in you think will be released?—Yes, an immense number; we had no more than about 20,000 pledges in the house, and we have taken in nearly 200,000 since we commenced.

271. You cannot tell me how many pledges there are for sale?—I should suppose that there are 200 or 250; I should suppose it would be about that.

272. Do you keep all the articles of soft goods for 12 months?—Yes.

273. You never sell at the end of six months?—No.

274. The practice of an ordinary pawnbroker is to sell at the end of six months his soft goods?—Not the wealthy pawnbrokers; they do not sell at the end of six months.

275. Do not the soft goods deteriorate beyond the six months?—Yes; I think it a loss to the pawnbroker to keep them longer than six months below 5 *s.*

276. If it is a loss to the pawnbroker, it is a loss to the pledger?—Yes.

277. What is the charge you make for a ticket to replace another that has been lost?—Nothing.

278. You make no charge?—No.

279. Do you make any charge for the form of the affidavit?—No; because the ticket and the affidavit are printed upon one.

280. Do you find that not making any charge, it causes a great laxity on the part of the people to whom you give the tickets?—No; the poor creatures never come except when they lose it; they generally come crying and frightened about it.

281. When the practice is known in the neighbourhood that you make no charge for a stop-ticket, may it not create a laxity on the part of the poor?—Yes, it may in some instances, but we make them get it signed by the magistrate which gives them additional trouble; the pawnbrokers do not do that; if they know them, they charge them 2 *d.*, and give them a stop-ticket.

282. Does the magistrate make any charge?—Not in Limerick; in the city of Dublin they do.

283. What do they charge?—The magistrate or his clerk charges 4 *d.* for a declaration to enable any person to get his stop-ticket; in no instance have I ever known the county magistrates make any charge in Limerick, or in Mallow, Kanturk, or other county magistrates.

284. The ordinary pawnbrokers, provided that they pay the fee upon the stop-ticket, are not particular in sending them to certify the loss of the ticket before a magistrate?—No; if they know the person, or get security from some shop-keeper who would be accountable for the goods, they give it to them.

285. You think the charge made at present upon the poor, in the case of the loss of a ticket, is too high?—Indeed I do.

286. It is allowed by law?—No, it is not; I beg to state, while I was a pawnbroker, for 14 years I never made them any charge for any stop-ticket; I had them printed, and invariably gave them for nothing.

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287. Mr. *Hutton.*] Are you aware that the fee paid at the police-office in Dublin is on the affidavit?—I know there is a fee paid upon swearing the affidavit; the fee of the pawnbroker is, independent of that, 2*d.*

288. *Chairman.*] Then in Dublin and Cork the pawnbroker charges 2*d.* for the stop-ticket; 2*d.* for the form of the affidavit, and the magistrate, 4*d.* for the signing it?—Yes, so I understand.

289. Making in all 8*d.*?—Yes.

290. And that charge is made, whether the article is worth 1*s.* or 1*l.*?—Yes, or 10*l.*

291. Constituting a tax upon the poor man?—Yes.

292. Mr. *Hutton.*] Does not the pawnbroker run an increased risk whenever a second ticket is given?—No; the 7th section of the 26 George III. enacts, that if the duplicate is lost, and the goods remain unredeemed, the owner is to prove his property to the satisfaction of a justice; and the person warning or noticing to the pawnbroker that his ticket is lost, and producing this stop-ticket, the pawnbroker is bound to give him the goods, and the pawnbroker is indemnified by that Act.

293. When I asked the question, my object was this, to inquire whether the pawnbroker having given out two tickets or two duplicates for the same article, his risk is not increased the momen the gives the second ticket; because his clerk may deliver that article upon the first, and having given a second, may be bound to replace it?—In the event of persons losing a ticket, they go to the pawnbroker, and state the loss of it, and the day they pledged it, if they can recollect it; if not, a reference is made to the book, and the pawnbroker, upon finding the entry in the book agreeing with the man's story of the ticket lost, goes up-stairs, where the goods are, and finds the article there, he pins a bit of paper alongside the ticket upon the article, with the word "Stop" written upon it; and if any person brings the ticket which is lost, and the pawnbroker goes to the store, and finds there is a "stop" upon the article, he knows that the person who produces the ticket does so to release the property of another person, and not his own.

294. As that involves trouble to the pawnbroker, is it not reasonable he should be paid for it?—If he was not paid for printing the form of the declaration, he has a right to be paid for that.

295. And a certain sum for the trouble of his clerk going up, and marking it, and the risk he runs of his clerk omitting it, and being called upon to replace it again?—Yes, he ought to have some remuneration.

296. *Chairman.*] You think, in three respects, the interest, the ticket-money and the stop-tickets, the charges are higher than is necessary for the pawnbrokers' profit?—Yes; they are higher than they charge in England, and higher than is necessary.

297. Is there any charge in the country parts of Ireland for giving notices of sales?—Yes, there are.

298. Who is the person whose duty it is to give notice?—The pawnbroker charges 4*d.* for a notice in a country place, although there is no notice ever sent, or hardly so; I have the day-book of a Dublin pawnbroker here; they are obliged, as Mr. Matthews stated, to serve a notice upon all persons who pledge for any sum over 4*s.*, for which notice they make a charge of 3*d.*, and if over a higher sum, 4*d.*, and the marshal is bound to give those notices for the pawnbroker; there has been a compromise between the pawnbroker and the marshal, that there shall be a notice served, that the pawnbroker may levy 3*d.* or 4*d.* upon the person whose goods are sold, and that they should not have to give that notice; they enter every person who pledges goods, as if they lived at Bray, outside the Circular-road; Mrs. Holmes lives in Bray, and there is a list of 5*s.*, 13*s.* and 4*s.*, all at Bray.

299. Under 4*s.* the correct residence is given?—No, there is no residence at all given.

300. Under 4*s.*, there is no one who lives at Bray?—No; but above that sum they are all at Bray or at the Rock, and that is outside the Circular-road.

301. The object is to evade the service of the notice?—Yes; wherever there is 4*s.*, it is either the Rock or Bray.

302. The service of the notices is only useful for making an additional charge?—Yes, on the poor, and no other use.

303. And imposing an unnecessary duty upon the poor, which neither the poor nor the pawnbroker make any use of?—No; the pawnbroker derives a tax of 4*d.* or 3*d.*, as the case may be; but it is quite useless; some persons will not give their

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their residences, and it is quite sufficient for the pawnbroker to have a bell ringing during the time of sale, instead of giving notice.

304. Mr. *Hutton.*] What should you think of having the day of the auction placed upon every duplicate; the pawnbroker being obliged to state, "this article will be sold on a certain day;" would there be any objection to that; would it not advertise to the individual, if he goes to a certain place on a certain day he will find the goods there to be sold, and he might purchase the article, or get some friend to do it for him; do you see any great objection to that?—Yes, I do; in the first instance, I think that it would be a very great hardship upon the pawnbroker to state he will sell it on a certain day; he might not be able to do it; but if, when he gives the first notice of auction, he was compelled, when a person applied to him, to write on the back when and where he would send it for sale, and if the goods were sold by catalogue, the pawnbroker would be able to do it; but it would be a hardship on the pawnbroker to be obliged to do it; at first it might lead them into a forfeiture of a penalty.

305. With respect to the payment of the overplus to the poor people, have you no practical experience at present, at the Mont de Piété in Limerick?—No, we have not, as yet; we have had no sale.

306. Is not the object of all the machinery of the present law, respecting auctions, to secure to the owner of every forfeited pledge the overplus which may be received on the sale of his property, beyond the principal and interest advanced on it by the pawnbroker?—No doubt of it; if the present law as it exists was carried into effect, it would be most beneficial for the poor, because the manner of proceeding when the goods are to be sold are first stated; the auctioneer is to get from the pawnbroker a list of the goods and names of the persons who pledge them, so that by a reference to the auctioneer's book, at any time afterwards, a person would be able to know that it was his own article that was shown to him, and sold for a certain sum; it says, that all pledges that remain in their possession, the pawnbroker or appraiser shall enter the same in a book specially kept for that purpose, in a fair and proper manner, always comparing the same with the entries that are made in the book of the pawnbroker who shall have lent the money thereon, which book the pawnbroker is required to produce to the appraiser.

307. All that machinery is to enable the person to get the overplus?—Yes.

308. Then the machinery of giving notice of the sale of goods is with the same object?—Yes, with that object.

309. And the machinery of having the auctioneer licensed, and under security, is for the same object?—Yes; the auctioneers out of Dublin ought to be appointed by the grand juries; but there was never an instance of it known, except one or two in Belfast; in Cork I know of one instance; a person was appointed by the Cork grand jury, Mr. Martin, and the pawnbrokers refused to give him any goods to sell; he went to law with them, but there were so many loop-holes, they crept out of it.

310. The object of introducing all that machinery of the auctioneer, the sale-book and the notice to the pawner, is to obtain the overplus to the poor man in case it sold for more than the sum lent?—Yes, certainly.

311. If that object is not obtained, all that machinery is a loss both to the pawnbroker and the pawner?—Yes.

312. It is an unusually expensive system which must ultimately be to the disadvantage of both parties?—Undoubtedly so.

313. Do you conceive at present it has had any effect in obtaining the object?—No; there may be instances of pawnbrokers giving the overplus to the poor, but they are few, I believe; in fact, in Limerick, where I am now, some of the pawnbrokers there sell the goods by private sale almost entirely.

314. Do you suppose they would admit they sold them by private sale?—They cannot deny it.

315. Is there a penalty upon not selling them by auction?—Yes, there is; the pawnbroker or appraiser, acting contrary to the Act, is to forfeit treble the value of the goods.

316. Where does that penalty go?—The way they all go, to the churchwardens and the poor of the parish.

317. And that part of the Act has thrown no impediment in the way of those who disregard its provisions in this particular?—None whatever for the last nine years, in Limerick; there was not a single article of plate sold by the pawnbrokers in Limerick.

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318. How were they sold?—They must sell them by private sale, or keep them.

319. Is there any penalty for an auctioneer making a false entry of goods sold, that is to say, receiving one sum, and putting down another sum?—No; the Act says, no goods shall be sold without a proper entry, or the pawnbroker or appraiser acting contrary is liable to a penalty; that infers he was to make a proper entry.

320. There is no specific way pointed out by the Act of imposing a penalty upon him?—No.

321. In point of fact, do you believe false entries are made by the pawnbrokers?—Yes; I am sure that the pawnbrokers, to avoid paying the overplus, enter it wrong sometimes.

322. And to avoid paying the duty?—There is very little of that paid; Mr. Flaherty, the excise officer of Limerick, told me that the return of sales of soft goods in Limerick was a mere bagatelle; and, as to plate, there was not a single spoon sold in Limerick since he had been there, which is nine or ten years; also the pro-collector of Fermoy—I believe he is in London now; he stated, that all the returns made of pawnbrokers' sales to his department are mere nonsense, that they are not worth speaking of; sixpence is returned sometimes, as the auction-duty upon a sale; it is the custom in the city of Cork, where there are a great many pawnbrokers, to employ an auctioneer at so much a day, out of which he must pay the auction duty; no matter what he sells.

323. What description of people are the pawnbrokers' auctioneers in Cork?—No respectable auctioneer will act for them at the wages they pay them, with the exception of those auctioneers who sell silver plate for them.

324. Sir *William Somerville.*] How many pawnbrokers' auctioneers are there in Cork?—I believe four or five; they are of the very poorest class of persons.

325. Do they employ different persons to sell plate and soft goods?—Yes.

326. Mr. *Redington.*] What is the reason of that?—They sell the plate at the auction-houses of two very respectable auctioneers, Mr. Marsh and Mr. Pennington; but I beg to remark on the way in which they sell their plate; they send in the plate to those auctioneers, who, from their respectable character, would be very likely for a person to apply to, in order to get an account of the overplus; but, upon sending the plate to them, they take off the original ticket and put private numbers of their own, so that the auctioneer does not know whether the plate was all pledged together, or whether it belonged to one person or not.

327. *Chairman.*] You are stating this as a fact?—Yes.

328. There is no possibility of the owner ascertaining whether there is an overplus?—Except through the pawnbroker.

329. Is there a penalty upon the pawnbroker not producing the book of sales to any person who applies for it?—There is.

330. What is the penalty—is it an efficient one?—The penalty is, I believe, 10*l.*; but I beg to remark, that Mr. Edward Penefather's opinion was, from the loose way the Act was worded, that where there was a penalty upon in one clause, it was done away with by another.

331. Mr. *Beamish.*] You have stated these cases of the Cork pawnbrokers from your own knowledge?—Yes, generally speaking; my father-in-law and my two brothers-in-law were in business as pawnbrokers in Cork.

332. You have stated it from information derived from them?—Yes, and other persons.

333. And not so much your own positive knowledge?—No; I can speak to the plate from my own knowledge, from my own personal observation; it occurred at the sale of my father-in-law's goods, after his death; several pawnbrokers took advantage of his plate being sold, and sent in their plate to sell; and I specially remarked, though I had no idea then of undertaking Mr. Barrington's Mont de Piété, there was no original entry upon the articles, but numbered 1, 2, 3, 4, to enable the auctioneer to keep an account of them.

334. Mr. *Hutton.*] Do you think it would be of any public advantage if pawnbrokers were obliged to put on each duplicate a number, and keep a number corresponding in his book?—He is obliged to do that.

335. *Chairman.*] Do you think there ought to be a more efficient scheme of penalties for not selling goods by auction, for not making a proper entry of the goods

goods as they are sold, and not producing to the person who has pawned goods the book in which that entry is made?—Yes, certainly.

336. To whom ought it to be payable?—Either entirely to the informer, or half to the informer.

337. Mr. *Hutton.*] Are you aware there have been convictions in Cork without the interference of the churchwardens?—I believe the pawnbrokers convicted one another there; they employed persons to watch each other, to see if they would take in at illegal hours, and they convicted each other in that way; I know that the respectable portion wished the legal hours to be kept.

338. Mr. *Corry.*] Do you know if instances are rare, or do they frequently occur, of the churchwardens recovering penalties?—I never heard of one instance of it.

339. *Chairman.*] What hours are the auctions held in the country?—By day; Dublin is the only place I ever knew it at night.

340. Who are the people who attend the sales in cities?—Generally buyers or jobbers, and sometimes a stranger will go in; but, from the description of the place where they are sold, no respectable person will go to buy.

341. Do the persons who have pawned goods take much trouble to ascertain the day when their goods are to be sold?—No; they may apply for the overplus; I believe, in Cork, if the jobbers, who are generally the buyers there, find any person bidding for an article, and they consider the article belongs to that person, they will not bid against him; but if they consider a person comes in to buy goods, they will overbid an article to get it up.

342. So as to deter him entering into any competition with them?—Yes; but if a person says, "That is my article, do not bid against me," they have that feeling, they do not do it.

343. Do you believe it is a common and ordinary practice to sell the goods in a shop, without sending them to auction, before the time of redeeming them is expired?—In the country parts of Ireland, in the small towns, I am sure it is the case.

344. If it is done, is there any efficient way of bringing the pawnbroker to account?—There are penalties; but, from the entangled state of the Act, they cannot be effectually recovered.

345. If a person does so, can he continue in business as a pawnbroker; is there any thing to prevent it?—Nothing whatever.

346. What is, generally speaking, the expense of a summons to a person who goes to complain of such a transaction?—In Limerick I believe it is 6*d.*, and in the country parts, 6*d.*; I believe it is more in Cork, because the magistrates have the power of adjourning the case, or of re-hearing, and then they get 10*d.* more; and the magistrates, in some cases, do adjourn when there is an application made; in fact it is a tedious way.

347. Is the expense in Cork more than the poor man can incur, unless the loss had been considerable?—Yes; indeed it is not worth his while, as the Act does not give the magistrate a power of giving the poor man the loss of his day-labour in going to seek for redress.

348. Are the books kept in such a way as to make it difficult for the pawnbroker to ascertain whether the articles had been sold at the proper time?—There is one of the Cork books on the table; and you cannot understand the name of the person or the description of the article.

349. The pawnbroker may commit an error, and he will be enabled to evade the penalty he has incurred by that means?—Yes.

350. He may sell the goods in error?—Yes, he may, by selling by numbers; he will sell up to the 1st of March; his number is then 27,000, and he will sell all under 27,000.

351. But his books are kept in such a manner that he may commit an error to the injury of the poor man?—Yes; the magistrate could make nothing of that book, even with the ticket produced.

352. If a system of inspection was enacted, it would be necessary that the officer should see that the books were properly kept, so as to make an error improbable?—Yes, and to see that the auctioneer's books were kept in such a state as the Act intended, putting down the number of the article, the description of the goods, and what each lot produced, the money lent, the interest due, what it sold for, and the overplus coming to the owner, all in one line; such ought to be the way, if this Act was followed up; but no such book is kept in Dublin.

353. Sir *William Somerville.*] Or in Ireland; can you say that?—Yes I can; there is no such book kept as the Act points out.

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354. Is there generally any unwillingness to produce these books?—I am not aware of it in Dublin; but I know in country towns they refused plumply; and in one case I sent a whole bundle of tickets belonging to one poor man by a person, to see if they were sold, and if not, to release them, and if sold, to claim any overplus; and the answer was, that they were sold; and when the penny was tendered to inspect the book, they were told to leave the shop, that they kept no auction-book.

355. Mr. *Beamish.*] Where did that occur?—In Limerick; there are highly respectable and wealthy men in Limerick, who would not do it.

356. *Chairman.*] If they do it, are there any means of punishing them?—No, not as the Act is framed; one section of the Act repeals another.

357. Is it under the idea that such practices will not prevail at the Mont de Piété that the poor are induced to go there?—Yes, that and the low rate of interest; when they say they want so much, I say, "We only lend what will cover the interest and the expenses, and if you want to have the overplus, and will come here at the end of 12 months, there shall be an auction clerk to give you information, whether it has been sold, and the overplus, if there has been a sale;" and the answer has been, "God bless you, and Mr. Barrington; there was never any thing like it in Limerick before."

358. Is it the practice generally to sell at the end of six months?—Some pawnbrokers do; the wealthy pawnbrokers do not; and they lose upon small articles, in consequence of not doing so.

359. Is there any penalty in the Act for not keeping the goods 12 months?—No; the Act allows them to sell all goods under 10*s.* in six months.

360. In the country do they sell goods over 10*s.* in six months?—Yes.

361. What are the hours of business you keep?—In winter from ten to four, and in summer from ten to six; and I consider, that if those hours were kept generally by the pawnbrokers, it would be a great measure to stop thefts in Ireland; the robberies are generally committed at night, and the person robbed would have an opportunity of giving notice of what the marks on the goods were, and they could be detained.

362. Do you suppose there is not much business in which poor people are really compelled to borrow before the hour of 10 o'clock?—I do not know that; I know that some persons may require money before 10 o'clock, but if you admit one you must admit every one; the persons who steal goods in the country come into the towns and pledge them early, before the persons who have lost them have time to come into the town; the Act says, "Whereas, it is necessary, in order the better to detect and prevent thefts and robberies, that the respective pawnbrokers aforesaid should have stated times and hours appointed for them to receive and take in pledges; be it therefore enacted, that no pawnbroker shall take in any pledge on Sunday, nor before 10 in the morning of any other day of the week, nor after four in the afternoon of any of the said days, between the 29th day of September and the 25th day of March," that is the winter half year, "nor before 10 in the morning as aforesaid, or after seven in the afternoon on the summer half year, to wit, the 25th of March and 29th of September."

363. Those regulations are contravened?—They are very seldom attended to, except in Cork; some of the respectable pawnbrokers summons some of the others, and try to make them keep the hours.

364. Mr. *Hutton.*] Is there a penalty attached to it?—Yes, a penalty of 40*s.*; I summoned a Limerick pawnbroker myself, for taking in pawns at illegal hours; and I forgave him, on the promise that he would not do so again.

365. I thought you said that the penalty could only be collected by the churchwardens?—Any person may proceed upon this clause, upon proof being made, on the oath of one or more credible witnesses, and the money is to be paid to the churchwardens.

366. *Chairman.*] Is there any fine in the Act for taking goods from people in a state of intoxication?—None in the Irish Act, there is in the English.

367. Do persons ever come to you at the Mont de Piété, in a state of intoxication, to get money?—Yes, several; and I have made it a rule, that anybody who has the character of being an habitual drunkard shall not get money on loan; and they have often come in in a state of intoxication; we have refused, and they have said, "You may as well take it, we can pledge it elsewhere;" and I have sent the porter after them, and have found they have pledged them at a pawnbroker's close at hand.

368. Mr. *Beamish.*] Do you know the average time goods are left in pawn?—One with another, before they sell them, taking those redeemed and those sold, I should say four or five months. Mr. *J. W. H. Haynes.* 22 May 1838.

369. Mr. *Young.*] How long do they generally remain?—A week; I shall be able to show you the number of 1*s.* pawns redeemed weekly.

Jovis, 24° die Maii, 1838.

MEMBERS PRESENT:

Mr. Hutton.	Mr. John Young.
Lord Viscount Adare.	Mr. Lucas.
Mr. Ponsonby.	Mr. Corry.
Mr. W. Roche.	

LORD VISCOUNT CLEMENTS, IN THE CHAIR.

Mr. *John William Hobbs Haynes,* again called in; and further Examined.

370. *Chairman.*] WILL you explain the management of the establishment which you superintend at the Mont de Piété, at Limerick; what is the number of persons employed in the establishment?—About 12. Mr. *J. W. H. Haynes.* 24 May 1838.

371. What are their different occupations?—They are chiefly young lads, whose occupation is merely taking memorandums of the different tickets that come in, and getting the articles, and having them thrown down and given out to the public as they are released; there are seven check clerks and runners, three valuators and the conductor.

372. Have you not also a cash clerk?—I count the check clerks cash clerks; any person can do that business, because of the checks. It is impossible that he can have a penny astray; he must account to me every night for the amount of money received. This is the form of the day-book [*producing the same*].

373. Does the cash clerk keep this day-book?—No, that is kept by the clerk who takes down the names of the persons who leave the goods that are pledged and the value he puts on them. The valuator receives the goods and values them, and he tells the name of the goods and the value to the clerk who keeps that book and writes the ticket.

374. Will you describe the nature of the duties performed by the different check clerks?—One clerk has to write in the day-book. On the ticket being written, it is delivered to the person who has given the goods to the valuator, and the ticket is then taken to the cashier, who then pays to the person producing the ticket whatever amount of money appears on it.

375. Mr. *Hutton.*] No. 1 you call the day-book clerk who keeps the day-book?—Yes, and writes the duplicate.

376. What is No. 2?—No. 2 is the cashier, who pays the money which appears upon the face of the duplicate presented to him.

377. *Chairman.*] What is No. 3?—No. 3 is the storekeeper, who receives into his possession the goods after they are labelled to correspond with the duplicate, and with the entry in that book, and keeps an account of them.

378. What is No. 4?—That finishes the pledging department of the article. Then, in the event of its being released, there is the releasing cashier, who receives the money and calculates the interest on each pledge that is released, and, of course, he keeps a book in which he keeps an account of the money received.

379. What is No. 5?—No. 5 is the releasing store-keeper, as no ticket can get out of the establishment that does not pass through his hands; he merely enters the ticket in the book, the pledging number, the consecutive releasing number, the money lent and the interest received.

380. Mr. *Hutton.*] Are the Committee to understand that there are two numbers upon each duplicate, a receiving number and a releasing number?—There are, for the purpose of checking it afterwards.

381. *Chairman.*] What are the duties of the clerks Nos. 6 and 7?—Those are runners,

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runners, persons who get the goods, after they are entered in the releasing cashier's book; they run through the stores and get them.

382. They are merely porters?—Porters.

383. They do not keep a book?—No.

384. What are the other three officers?—Valuators.

385. Who value the goods when they are offered for pawn?—Yes, there is a head valuator, and two under him, and the three united form their opinion on pledges when they come in, and if there is any doubt of the value, they take each other's opinion, and then come to a decision upon the value.

386. Does clerk No. 1 go to No. 8, 9 and 10, and get them to value the goods, and then give the duplicate upon their valuation?—When the valuators receive the goods, they call out to No. 1, for example, "Honora Hart, a light blue gown, 1 *s.* 8 *d.*"

387. Mr. *Ponsonby.*] Who takes the goods to the valuators?—The person who comes to pawn goods comes to the valuator, who, if he allows the money that is asked, cries out "Honora Hart, a light blue gown, 1 *s.* 8 *d.*;" then the ticket is numbered as here, 30,645; that is the number in the book and the number that is on the ticket.

388. That number is attached by the clerk No. 1?—Yes; then when that ticket is taken to the cashier, he enters in his book opposite "30,645, 1 *s.* 8 *d.*," so that, if the ticket is brought to him a second time, he refers to the number and finds the money paid on it.

389. *Chairman.*] Is there not an 11th officer in the institution?—There are 12 in the whole.

390. Who are the other two officers?—A night watchman and an assistant porter.

391. Is there also a secretary of the institution?—No, only Mr. Douglas.

392. That makes 13 officers in the institution?—Yes, Mr. Douglas's salary depends entirely upon the prosperity of the concern; he receives no salary, and he has drawn none.

393. Mr. *Roche.*] You said that many of those clerks are young men?—All young lads.

394. What age generally?—They are from 14 to 18.

395. Do they go to your establishment both for the purpose of salary and remuneration as well as for instruction?—They only receive 5 *s.* a week; they do not all receive that; there are some of them that are expectant, and I could get 30 persons to come in to work, expecting, when the establishment would pay, to get salaries.

396. *Chairman.*] Can you state the present amount of salary paid to the 13 officers?—About 39 *l.* a month; we pay the lads 1 *l.* a calendar month.

397. How much is that for the year?—About 464 *l.* 10 *s.* for the year.

398. Have you any objection to state the salary to each officer?—Not in the least.

399. Mr. *Hutton.*] What is the amount paid to the valuators?—The average is 14 *s.* 4 *d.* each, weekly; that is for three of them, making 2 *l.* 3 *s.*

400. What is the salary to No. 1, the day-book clerk, who gives the duplicates?—Five shillings a week, and all the other clerks have 5 *s.* a week.

401. The porter, night-watchman and assistant porter, what are they paid?—They average also 5 *s.* each; the night-watchman has 9 *s.*, another has 2 *s.* 6 *d.* and another has 4 *s.*

402. *Chairman.*] Do you think that an institution of that kind could ensure the services of officers properly qualified for a similar amount of salary?—No doubt of it, with the checks I have over them.

403. Will you explain the system of checks?—I will; here are our tickets, the tickets of 1837 and the tickets of 1838. The tickets of 1837 are white, the tickets of 1838 are green. Now, if any number is called out, I shall be able in a moment to show whether it is released or not. On referring to the book, you will see every article that is released; those marked red are released, those without any mark are not released. This is our first book. In our book in June and July, I do not think they are fifty articles in the month of June that are not released.

404. This is the book of receipts; you have also a book of deliveries?—Yes.

[*The Witness produced the same.*]

405. Will

405. Will you take one of the instances of pawning referred to in that book, and describe to the Committee the process that the article goes through in pawning, and in releasing it?—I will; Miss Crow comes in with a waistcoat and drab trousers, and gives them to the valuator; he values them at 4*s.*; he calls out to the clerk who has the charge of the day-book, "Miss Crow, that lives at the Abbey, a waistcoat and drab trousers, 4*s.*" It is then entered in the day-book, the consecutive number of the day-book is entered in this part of the ticket, and the same entry is put in the book; the ticket is filled up and given to the owner of the goods.

406. Mr. *Hutton.*] Have you any book to show what the actual value of the article is, as contradistinguished from the sum lent?—No, only from the general direction that one-third of the value is lent on the goods. In some instances, not one-sixth is taken.

407. Mr. *Young.*] Then, from the sum lent you may assume that the value of the article is three times that?—You may, in soft goods, that is, wearing apparel; not in plate.

408. Mr. *Corry.*] What proportion do you advance on hard goods?—Four-fifths, because they cannot deteriorate.

409. *Chairman.*] What is the next process?—Then the ticket is presented to the cashier, who pays the money that is marked on it, entering it in his book at the same time, "No. 90,830, 4*s.*"

410. Mr. *Ponsonby.*] Does all this take place in one room?—In one room, with separate offices divided from each other, so that the valuators can have no communication with the cashier, nor can the cashier have any communication with the valuators. It is separate divisions of the same office. The goods are then labelled by the valuator and taken to the store-room, where the store-keeper enters them in his book. This ticket goes out of the concern entirely, but a memorandum of it is made here, and from this memorandum a duplicate of the ticket is made, which is sewed on the goods, and they are taken up to the storekeeker, who puts them into lots or bins, where they are kept. He takes an account of each article as he puts it in, and the money lent. He tots up his book at night, the cash-keeper tots up his book at night, and the valuator tots up his book at night; and if the three books agree, the accounts are right. When their books agree, they sign this document, which is sent me every night, with the balance of cash; that finishes the transaction as far as pledging goes. What is taken into the store is so much property accounted for to me. Then the person comes to release that on the 10th of March; the releasing cashier then makes this entry on it, "10th March, 4*s.*" opposite the words "sum lent;" opposite "interest," 1*d.*, making 4*s.* 1*d.* The person gets a piece of tin, with 713 stamped upon it, which number is written on the ticket; then no other person can get the goods but the person producing the tin, which agrees with the number on the ticket. The ticket is then sent up-stairs to the releasing storekeeper, who enters it opposite the corresponding releasing number, 713; the ticket is afterwards given to the runners, who get the article, and it is then thrown down-stairs through the spout, and given to the owner upon her producing the tin, 713, which corresponds with the ticket.

411. And the book of the releasing cashier and of the releasing storekeeper must check one another?—They must correspond with one another.

412. Is not the releasing cashier a very responsible office?—It is a responsible office as far as regards correctness; the person I employ in it is a young lad I took a great liking to, because he was serving his time with me as a printer; he lives with me, for which I charge nothing, expecting that, as soon as the establishment makes sufficient to pay larger salaries, as releasing cashier, he will get a salary remunerative.

413. Then you admit that the salary that such a responsible officer gets at present is insufficient for the situation?—He ought to get, at least, 30*l.* or 40*l.* a year.

414. Mr. *Corry.*] Is there any money left in his charge?—No money; that is delivered to me every night; he must account to me every night. I will hand in this book, which settles the day's transactions; this is the book which is verified by every person in the concern every day.

[*The Witness delivered in the same.*]

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415. Mr. *Roche.*] You said that you are in the habit of advancing one-third of the value of the article, therefore, if you value an article at 12 *s.* you give but 4 *s.* upon it; now, supposing a person requested a further advance, would you give it?—No.

416. Is the pawnbroking establishment accountable to the proprietors of the articles for the consequences of fire and the consequences of burglary?—No.

417. Have you devised any protection against fire?—We have endeavoured in every kind of way to avoid fire, but we had a small fire that occurred in one corner of the office through the negligence of the carpenter employed in putting up bins for goods; the injury that was done was very trifling.

418. Mr. *Young.*] Do not you insure?—We are insured for the full amount of property in the concern.

419. Mr. *Roche.*] Do not you use hot water apparatus for warming?—We do, to avoid all danger of fire.

420. *Chairman.*] Will you describe, as well as you can, what is the advantage which your system possesses over the system adopted by the ordinary pawnbrokers, and the way in which the ordinary pawnbrokers run the risk of being cheated, or of money being taken from them by their clerks?—I will; I was a long time myself in the pawnbroking business, and I have been robbed several times by my clerks; for, where a pawnbroker leaves his business to the clerks, he has no check upon the stock in the store. When the clerk receives the principal and interest for a whole lot of articles released on Saturday, he may when he goes up-stairs put the tickets and the money of half-a-dozen articles into his pocket, and come down, give out all the articles, and throw into the ticket-box only as many tickets as he chooses shall be accounted for in the casting up of the account afterwards.

421. If he does not give up the ticket, there is no check upon him to insure his not having received money for which he has not accounted to his master?—Certainly not.

422. Do you believe that that species of robbery by clerks has been frequently practised?—I know several instances of it; I prosecuted one myself; I recollect a case where a person was tried in Cork for robbing his master, I think Mr. Thornton was the name of the pawnbroker; he was robbed by a clerk whose name was Robert Mayne, and, if I do not mistake, he was robbed of 600 *l.* in one year, and although he prosecuted him, still, from the slovenly way in which his books were kept, and from the utter impossibility of tracing the article from the time it came into the store till the time it left it, he was acquitted; in fact it was through counsellor O'Connell's legal ingenuity that he was acquitted.

423. Do you believe that the pawnbrokers generally suffer a large amount of loss by that means?—There is not a pawnbroker in Ireland that does not keep his own accounts but must be robbed by the clerks, and they will all acknowledge it.

424. Mr. *Roche.*] May not the private establishments adopt those checks of protection that your establishment does?—They do not know them; I did not know them myself till I was at Paris; and I mentioned to Mr. Barrington my unwillingness to conduct his establishment unless I was sent to Paris, where they have had centuries of trial, and where they have such checks as would put it out of the power of any person to defraud the concern of one farthing.

425. *Chairman.*] Besides that, is not that system of checks a very expensive system?—No, it is as cheap as you can do it; the expenses of the Paris Mont de Piété are 30,000*l.* a year; they only charge 9½ per cent., and they are enabled to give 10,000*l.* a year to charity.

426. Mr. *Ponsonby.*] Are not the expenses greater than one individual, in setting up a pawnbroking establishment, will incur?—Yes, they are; but there may be short modes of check, not so voluminous as those, that would do for a private office.

427. Mr. *Young.*] Does not the expense depend entirely upon the amount of business; because, if the business is not great, one clerk would do it all, and as it increases it will require a greater number of hands?—Clearly so; we have now been about 14 months at work, and we are making at the rate of 90*l.* a month.

428. *Chairman.*] What sum do you calculate that you have saved to the poor persons who have pawned goods to the value of a sum not exceeding 1 *s.* in the interest you have charged them?—I have taken six weeks of the business of our establishment,

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establishment, and in the six weeks from the week ending the 10th of March to the week ending the 14th of April, there were released of 1*s.* pawns that were pledged in the same week in which they were released, the following number: in the week ending March 10, 161; March 17, 159; March 24, 164; March 31, 191; April 7, 223; and April 14, 197; in the weeks ending the respective dates; that makes a total of 1,095, giving an average of 182 pawns released each week which were pledged in the same week, and on which there was only 1*s.* lent; if they were released in any other office, the annual interest on them would be 59*l.* 3*s.*, in our office it is only 9*l.* 17*s.* 2*d.*, therefore we save that description of borrower 49*l.* 5*s.* 10*d.* a year upon those 1*s.* loans only.

429. Can you calculate the number of 1*s.* loans that there may probably be in all Ireland, and the saving that might be made to the people of Ireland, generally, by charging the same rate of interest that is charged at the Mont de Piété, Limerick?—I have done it in this way: the number of pawnbrokers returned in the marshal's return are 445, but you will find, by referring to our returns, that there are more than that; there are at least 502; suppose we say 500; I will not estimate that they are to do as much in 1*s.* loans as our establishment, although in Dublin four-fifths of the number of offices there take quite as many pledges as we do; but suppose they only take in 120 pawns of 1*s.* each that are released in a week, that is, taking one-third off, taking 62 off, then upon the 1*s.* pawns in Ireland 3,000*l.* lent amongst them, it would produce 19,500*l.*; in England it would produce 6,500*l.*, and at our establishment it will produce 3,250*l.*, something over a hundred per cent., and that without compound interest.

430. Do you seriously believe that that number of 1*s.* pawns are made in the course of a year in Ireland?—I have not the slightest doubt that, including the pawns under 1*s.*, of which they lend an immense number, they make as much as that in a year by 1*s.* pawns, and by sums under it.

431. Mr. *Lucas.*] Are you not prepared to give any evidence with regard to the common rate of interest for small loans among the agricultural population?—Yes, I have a letter here from a doctor at Castle Connell; the letter is addressed to Mr. Barrington; he states, "I take leave to trouble you with an account of the system pursued here for the last four years. A person, originally a pedlar, set up a small shop of groceries and soft goods; his capital, when settling here about seven years ago, was 5*l.* in goods advanced on credit by ———, upon which he has realized a considerable sum by selling to the poor on pledges, which, after holding a short time, he sent into Limerick to one of the pawnbrokers, giving the duplicate to the owners. To such an extent did this system prevail, in affording opportunity to servants and others of stealing and pledging property, that the magistrates were compelled to fine and punish him, and ultimately, from the number of complaints, he has been obliged at least openly to discontinue this illicit traffic."

432. Does it appear from any thing in that letter what amount of interest or what amount of profit this person received in that way?—No, it does not.

433. You cannot form a judgment of that?—No.

434. Mr. *Young.*] He was in fact carrying on the pawnbroking business without a license?—He was; and there are a couple of hundreds in Ireland who are doing the same thing at this moment.

435. Mr. *Lucas.*] Do you know whether a large profit or interest is indirectly realised in the country in this way, by selling goods upon trust on prices above the market price?—There is no doubt of that.

436. Is it the common practice, within your knowledge, for persons in the country to sell goods upon trust at a higher rate than the then actual market rate?—No doubt of it.

437. Do you conceive that a large interest is realized in that way?—I am sure of it.

438. A good deal more than the legal interest?—Certainly.

439. You cannot exactly say what it may be?—No; but goods that you would buy for 5*s.*, if you wanted credit, in a country place they want 7*s.* for; in the case of persons buying potatoes, it is the common habit of farmers to charge them perhaps 8*s.* a barrel more than the market price, by giving the person time.

440. What time is usual?—Generally from the summer season, when the potatoes become scarce, till harvest, when the potatoes are dug.

441. Not extending to six months?—Nothing like it.

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442. Where 8 *s.* more than the market price is charged for a barrel, what would you suppose to be the average price of a barrel at that time?—I suppose a guinea or 1 *l.* 2 *s.*

443. So that 8 *s.* interest would in fact be charged upon about 1 *l.* 1 *s.* principal for six months?—Yes.

444. *Chairman.*] Will you state the difference in the amount of interest charged by you in one week, and the amount which would be charged upon similar transactions, at the ordinary rate of interest taken by the pawnbrokers in Ireland?—On 12 May 1838, we released 174 *l.* 19 *s.* 7 *d.* money lent, and our interest was 7 *l.* 15 *s.* 2 *d.*; the pawnbrokers' interest on that sum would have been 17 *l.* 1 *s.* 11½ *d.*, so that the saving effected in one day to the poor, was 9 *l.* 6 *s.* 9 *d.*

445. When you say the pawnbrokers' interest, you mean the pawnbrokers' interest together with the sum charged by them for the duplicates?—Yes.

446. Do you suppose that a pawnbroker who charged that higher rate of interest, and lent so small a sum in proportion to the value of the pledge as you do, would have got as much business as you have done?—There are pawnbrokers in Limerick that do as much business, I believe, as we do.

447. But then they accommodate the poor much more, inasmuch as they lend a larger sum in proportion to the value of the goods entrusted to their care?—Clearly so.

448. Mr. *Roche.*] Are they in the habit of giving such a proportion as two-thirds of the estimated value?—Some of them lend more than the goods would bring by auction; they run the risk.

449. Mr. *Young.*] When they run that risk, do not you think they are entitled to a higher rate of profit?—They do it in order to do business, in opposition to one another.

450. Your business is much safer than theirs?—We do not oppose them at all; we merely go on in our routine, and lend at our own rate of lending; then, the competition is between themselves to do business.

451. Do you think your business would be increased if you were to lend a larger sum upon each pledge?—I am sure it would. The reason that I lend so low is, because the establishment was founded for the purpose of giving the overplus to the poor; and therefore if I lose upon one article in a sale, I cannot bring it up by putting the overplus upon other articles against it.

452. Mr. *Lucas.*] In fact, your object is not trade, but benevolence?—Yes.

453. Mr. *Roche.*] You have already stated the advantage that your establishment affords to the public on the amount of a 1 *s.* loan; can you state what would be the difference of interest upon a loan of 20 *s.* or 21 *s.*, for six months, between yours and the English, and between yours and the private pawnbrokers in Ireland?—It would be a difficult thing to make a comparison with the English pawnbrokers; the broken time in the English Act of Parliament makes their rate of interest lower than ours upon the poor, because they charge for half months; whereas, if it runs three days in the month with us, we charge for the full month. For instance, if an article is pledged for 10 *s.* upon the 1st of May, if the person comes to release it upon the 4th of June, he has to pay two months' interest in Ireland, that is 4 *d.* in our office.

454. Mr. *Lucas.*] Whereas, in England, he would only have to pay a month and a half?—He would not have to pay one month and a half till seven days had elapsed.

455. In the case you have mentioned, lending on the 1st of May, and redeeming on the 4th of June, for what period would he pay?—One month only; until it comes to the seventh day, they cannot charge in England. Then, on the seventh they can only charge for half a month in addition to the month; that is, if you come on the 8th of June, you must pay a month and a half interest in England, and they cannot charge for the second month till it passes the fourteenth day; so that, if you come on the fifteenth day, you are to pay for two months; in fact, the English pawnbroker's profit is a great deal less even than the profit at the Mont de Piété in Ireland. But there is this additional advantage in the Mont de Piété, that any profit we derive from the poor in Limerick, after paying expenses, will go entirely to the poor in the hospital themselves.

456. *Chairman.*] Will you state what you consider to be the best remedies which could be applied to the evils you have observed in the system of pawnbroking as conducted in Ireland at present?—I consider the chief evil is goods being sold before the end of 12 months, and not being by law enabled legally

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legally to come at what the goods sold for, not having the auction-book properly kept, and neither the auctioneer nor the pawnbroker showing the person the amount of overplus coming; and I consider that it would be a great improvement if the sale was conducted by a specially licensed auctioneer for that purpose, and a sale-book kept in proper form, thus; the pledging number, the name of the pledger, the description of goods, the amount of money lent, the interest, the total, what the goods sold for, and another column showing the overplus; that this book should be kept by the auctioneer himself, and that he should be under a penalty for not producing it to the pawner upon his producing a ticket in which those goods were entered; I think there should be inspectors appointed to see after not only the auctioneers but the pawnbrokers in Ireland; I think the auctioneer, after paying the pawnbroker the principal and interest calculated on each article, should lodge the overplus in the bank to the credit of the inspector of the district for the benefit of the owner; because, if the pawnbroker gets his money and his interest, it is all he originally bargained for in his dealing with the poor person, and it would be right that the overplus should be lodged for the owner in an available manner; that the auctioneer should return to the inspector, within 10 days after each sale, an exact account of the goods sold, the date of the sale, the original entry, the sum lent, the interest due at the time of the sale, the total due, the amount produced by the sale and the overplus on each, with the amount of total overplus lodged; that the auctioneer should give the pawner, upon application and payment of 1*d.*, a certificate entitling him to receive his overplus; that in case the inspector does not reside in the town, the auctioneer should pay the overplus, upon a premium of 1*d.* to the shilling, the same as pensioners' bills are discounted; if the overplus is not claimed within a certain time after the date of the sale, then it should be forfeited to the Load Fund Board or any other charitable board; at present the overplus is forfeited if it is not claimed in three years, and the pawnbroker keeps it; then pawnbrokers to produce their books upon demand before magistrates and inspectors; pawnbrokers, upon gross breach of the statute, to be disqualified, and power of appeal given to the judge of assize, and his decision to be final; by that means, when pawnbrokers knew they were liable to lose their license, they would be more cautious to act honestly. Though there are very respectable men among them, there are some of them not so; I think that, so far, what relates to the overplus is the principal thing.

457. Do you think there is any improvement required with respect to notice of sale to persons that have pawned goods?—I think the notice of sale is a hardship, not only upon the pawnbrokers, but in some measure upon the poor people, because they are charged for them though not served.

458. But if the notice of sale was given upon application, would not that practically remove the objection?—I am afraid it would not, because, if a dozen or 20 persons come in, and their goods were, some of them, 15 months, and some 12 months, and some 13 months, the pawnbroker may put down upon the back of the ticket that he would sell them upon the 21st of June, and he might not be enabled to sell a particular article, either from want of buyers, or some other want, upon the 21st of June; and he might subject himself to penalties for what he did not intend to be an evasion of the statute. I think it would be a hardship upon the pawnbrokers.

459. Mr. *Hutton.*] Do you recommend, that, instead of these precautions, the pawnbroker should never receive any portion of the profits of the pawned goods, when sold, except as much as would cover his advance, and interest upon it.?—And all expenses attending the sale of the pledge.

460. And that the rest should be lodged in other hands?—Yes, for the benefit of the pawner.

461. Mr. *Roche.*] As regards giving notice, might not the pawnbroker be embarrassed by the habit of giving in fictitious names?—Yes, he might, and it would be a great relief to pawnbrokers, if the notice were confined to ringing a bell at his door, and putting up a bill, saying, that he was to have an auction upon a certain day of all pawns from No. 1 to No. 2,000, then a person would only have to inspect his ticket, and see whether his number came between No. 1 and No. 2,000; if it was outside, there would be no danger of selling his pawn, and if it was inside, he would have to pay interest.

462. What would be the interest, at your establishment, upon a loan of 20*s.* for six months?—It would be 2*s.*

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463. And according to the system in general offices, it would be, how much?—Two shillings and eight-pence.

464. There the saving upon 21 *s.* for six months would be, how much?—Eight pence.

465. You say that your establishment has been based upon the plan of the Paris one?—Entirely.

466. Is there more than one establishment upon the Mont de Piété system in Paris?—Only one, there are not any private pawnbrokers in Paris.

467. Is one competent to the business of an immense city?—Yes; the business of the poor is done by out-door agents, who receive payments from the persons and deposit them in the establishment.

468. Mr. *Corry.*] In country parts of Ireland, are the sales usually attended by *boná fide* persons, or by a class called jobbers?—In country parts of Ireland they are attended by *boná fide* purchasers.

469. Mr. *Hutton.*] Can you state the yearly income from the Mont de Piété at Limerick?—At present we are making between 1,100 *l.* and 1,200 *l.* a year.

470. Mr. *Corry.*] Is that after payment of all expenses?—No.

471. Mr. *Roche.*] To what extent of capital would your present machinery be sufficient?—I should calculate that the present staff would work a stock of 12,000 *l.*

472. Mr. *Hutton.*] Can you state the amount of your net yearly income?—In the first year of a concern like ours there can be nothing like profit, because the first month's receipt was only 6 *l.* profit; it is the same with every pawnbroker; we cannot till we have been 12 months at work have the machine in such motion as will show what profit the capital sum will pay.

Mr. *Archibald Douglas*, called in; and Examined.

Mr. *A. Douglas.*

473. *Chairman.*] WHAT office do you hold at present?—That of inspector and secretary to the Limerick Mont de Piété.

474. How long have you held that office?—In the latter part of 1835 I was requested by Mr. Barrington, as my time was not fully occupied, to organize the establishment generally, as the buildings were then approaching completion.

475. What have you done to organize the establishment?—The first step I took was to collect funds, which was the most important thing; the first consideration was to advertise, through the public press, that debentures would be issued of the Limerick Mont de Piété, bearing interest at six per cent. per annum, for all monies sought to be invested in its funds.

476. What sum did you raise in that way?—That call was responded to by about 2,500 *l.* being very speedily paid into the Provincial Bank of Ireland to the credit of the directors of the Mont de Piété.

477. Was that paid in by speculators, or by persons who were anxious to promote the benevolent object which Mr. Barrington had in view?—In some instances it was done by persons who were anxious to promote the benevolent object which Mr. Barrington had in view; but, in most instances, it was done by persons who were desirous of deriving a better rate of interest for the money they had to spare, than they could get in other investments, namely, six per cent.

478. What was the nature of the security given to them?—The nature of the security was by debentures, which secured to the party lending money the repayment of the money out of the capital stock and funds of the establishment, a copy of which I lay before the Committee.

[*The Witness delivered in the same, which is as follows:*]

"No. , Mont de Piété, or Charitable Pawn Office; £. at six per cent;

For the support of Barrington's Hospital and City of Limerick Infirmary.

WE , Trustees of the Mont de Piété or Charitable Pawn Office for the support of Barrington's Hospital and City of Limerick Infirmary, acknowledge to have received this day for the use of the said establishment, from of , the sum of ; in consideration whereof we hereby, on behalf of said establishment, undertake that the said principal sum of shall be repaid out of the capital stock, funds and property of the said establishment to the said

said , his executors, administrators and assigns, at the expiration of calendar months, after notice in writing for that purpose shall have been served upon us the said Trustees of the said establishment for the time being, or left with our secretary at the office or usual place of business of this establishment; and in the meantime that, out of the capital stock, funds and property aforesaid, interest on the said principal sum of at the rate of six per centum per annum, shall be repaid to the said , his executors, administrators and assigns, by half-yearly payments on the day of and on the day of , until the said principal sum of shall be repaid: Provided always, that nothing herein contained shall have the effect of making us or any of us individually responsible in person or property for the payment of the said principal sum of and the interest due thereon, this present security being executed by us solely as such Trustees as aforesaid of the said establishment, and for the purpose of charging with the said principal sum and interest all and every the present and future property of the said establishment.

In witness whereof we have hereunto affixed our names and seals this day of in the year of our Lord

_____ } Trustees.

_____ Secretary."

479. Who is that signed by?—That debenture is signed merely as matter of form by three of the directors.

480. Is Mr. Barrington's name always attached, as one of the directors?—Not always.

481. The debenture bears, that the persons who sign the debenture are not personally liable for the interest, but that the interest is only recoverable from the profits derived in the institution?—That meaning is borne clearly in the body of the debenture.

482. Is 2,500 *l.* the amount of the capital you have at present in the institution?—By no means.

483. From what other sources have you derived it?—Subsequently to the period I mentioned, of public advertisements in the newspapers, and upon which advertisements appearing, 2,500 *l.* was paid into the Provincial Bank of Ireland, we have since that period received about 3,600 *l.* besides, also paid in to the credit of the directors of the Mont de Piété.

484. For which debentures have been issued?—Yes, making in all the sum of 6,100 *l.*

485. Does that money go partly in payment of the expenses of the building and fitting up of the establishment, or is it all laid out in loans?—It is all laid out in loans; the intention is to lay the whole of that money out. The expenses, naturally, the first year of a concern, must be borne out of its capital, till a profit is realized.

486. It is all laid out in loans and expenes?—In loans and securities, and expenses; it is not all laid out yet, but the money that has been drawn from the bank from this account has been expended in loans and expenses.

487. Can you state what has been the expense of building and fitting up the establishment?—There are some of the accounts that have not been handed in to me by Mr. Barrington, in whose possession they are, but as near as I have been able to collect the accounts and to ascertain, it has cost about 3,000*l.* or a little more. Mr. Barrington advanced that out of his private purse.

488. Does the institution pay any rent to Mr. Barrington for the occupation of the premises?—Not any; Mr. Barrington will take debentures as soon as the exact amount that he has advanced can be ascertained. I shall then prepare debentures for him, for which he will receive interest till the establishment is able, out of its profits, to repay the principal sum he has lent to it.

489. What should you say would be a fair charge for the ground-rent and rent of those premises, upon which 3,000*l.* has been expended in their erection and fitting up, calculating the rate at which house-rent is usually charged in Limerick?—About 200*l.* a year, I should think.

490. Mr. *Roche.*] What quantity of ground do they occupy?—A very small space; it is a mere corner adjoining Barrington's Hospital, comprising a superficial area of perhaps of 100 feet one way by 80 another.

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491. *Chairman.*] Are the storerooms sufficiently large?—By no means at present.

492. If your business were doubled or quadrupled, you would have to build much larger storehouses than you have at present?—Very much greater.

493. What would be the expense of the additional rent which that would bring upon the institution, supposing the amount of business should be quadrupled?—The experience we have now had of the Mont de Piété system, after having seen it in Paris, would enable us to construct stores, suitable for the purpose of preserving the goods pledged at the establishment, at an eighth part of the cost at which those of the present Mont de Piété have been constructed.

494. What expense do you think would be required, taking into consideration the locality for erecting the necessary additional storerooms, supposing your business was largely increased?—I should think that 350*l.* would build sufficient storeage, or from that to 400*l.* supposing the business was quadrupled.

495. Having raised this sum of money, what was the next step which you took in conducting the business of the establishment?—I was directed by Mr. Barrington, upon the sum of 2,500*l.* being declared lodged to the credit of the directors, to give notice of a public meeting to be held in the city of Limerick court-house, at which the Lord Bishop of Limerick presided, and at which meeting a board of direction was chosen to conduct the affairs of the establishment. This board consisted of the Lord Bishop of Limerick, the Roman Catholic Bishop of Limerick, the two Members of Parliament for the city of Limerick, the mayor *ex officio*, the chief magistrate of police and 10 other gentlemen chosen from among the body of shareholders.

496. What were their duties?—They are considered the sole and exclusive managers of the institution.

497. What share do they take in the management of it?—Their duty consists in coming one day in each week, Friday, or oftener if summoned by me for that purpose, to audit and examine the accounts of the establishment, to check the cash on hand, and examine the state of the stores.

498. Do they really give much personal attention?—I am sorry to say that they do not, for their avocations in many instances prevent their doing so; but I should be much better satisfied if the board of direction were to meet regularly every Friday.

499. Do you suppose it is probable, in a joint stock company of that kind, that you should get the gratuitous attendance of persons of that station, upon numerous occasions, if it was considered necessary for the institution?—It is not generally the case I believe in establishments of that nature, unless the directors, as in the case of the Provincial Bank of Ireland, are paid a small salary to insure their attendance, and fined a moderate sum if they absent themselves.

500. Mr. *Lucas.*] Do you think you could permanently depend, for the carrying on of this establishment, upon that gratuitous board or any gratuitous board?—I should think it would be absolutely necessary to have a small salary payable to the directors whose duty it was to attend; at the same time no great evil has hitherto arisen from the irregular attendance of our committee.

501. Is not it natural to expect, that when the benevolent excitement of the first establishment wears out, the attendance will be even more irregular than at present?—It is not at all unlikely as human nature is constituted.

502. *Chairman.*] They appointed you as secretary of the institution, and the principal superintendence has since that period devolved upon yourself?—The principal superintendence and the general arrangement of the establishment unconnected with the pawnbroking.

503. Will you have the goodness to hand in the rules of the institution?—This is a copy of the rules which I prepared to lay before the Committee.

504. As agreed to at a meeting of the board of directors?—As revised by the board of directors, and certified by Mr. Hutton, the consulting barrister of the Loan Fund Board; this I will deliver in.

[*The Witness delivered in the same.*]

505. What was the next step they directed you to take, to promote the objects of the institution?—The next step I was directed to take was to endeavour to find a qualified person to conduct the pawnbroking, or practical details of the establishment, for which purpose I proceeded, in August 1836, to Mallow, and offered

offered the appointment to Mr. Haynes, by Mr. Barrington's desire and that of the committee, who accepted of it, and was accordingly installed in his situation.

506. Did you then go to Paris to inspect the proceedings of the Mont de Piété?—A very early meeting of the committee took place, immediately subsequent to Mr. Haynes's appointment, at which meeting it was directed that we should proceed to Paris to receive instruction at the Mont de Piété of that city, in the manner of managing similar establishments on the continent.

507. Have you nearly copied the French system in your establishment?—We have adhered to it very closely, altering it only in such parts as we conceived were not suited to the locality in which we were to operate.

508. Can you specify what the alterations have been?—It would be difficult to do so without a personal inspection.

509. For instance, do you charge the same rate of interest as the French establishment does?—No, our rate of interest is about 20 per cent., while that of France is 9½.

510. Do they charge for duplicates in Paris?—They do not.

511. Is 9½ per cent. the full charge which is made to the poor man for interest, and warehousing and duplicates and expenses of sale?—The expenses of sale are a separate charge, the 9½ per cent. includes every thing else.

512. What is the length of time which the goods are allowed to remain in pawn at Paris?—The same period as that of the pawnbrokers in Ireland, 12 months.

513. What is the amount of the sum which is lent in proportion to the value of the goods delivered in pledge at Paris?—As nearly as possible that which Mr. Haynes has found it necessary to establish in the Mont de Piété at Limerick, namely, about one-third on soft goods or wearing-apparel, blankets and things of that description, and four-fifths on plate.

514. When you say that one-third of the value is given on soft goods, do you mean the value which the goods may be of to the person who pawns, or the value which the goods may probably fetch at an auction?—The value which Mr. Haynes the conductor, or his valuator, in whom he has confidence, considers they would fetch at an auction, if sold at the moment, or at any future period, without deterioration.

515. Do you know whether the goods are released very rapidly at the Mont de Piété at Paris, or whether they remain a long time in pawn usually?—In a medium way, I think, much in the same way, I think, as our experience of the Limerick Mont de Piété has shown us to be the case in Limerick.

516. Are there as many goods in Paris pawned in the morning and released at night as there are in your establishment at Limerick?—In proportion, I should say more.

517. Mr. *Roche.*] What are the circumstances that caused you to advance the rate of interest so greatly as from 9½ per cent. charged in France to 20?—In consequence of paying a much higher rate of interest for the money we borrow, and also for the purpose of not reducing the rate of interest so much below the pawnbrokers as to do them a serious injury in the outset of our operations or to seem to do it.

518. Do you think that hereafter you will be able to reduce the present rate?—There appears no doubt whatever, that, if sufficient funds are placed at the disposal of the Mont de Piété, we will be able to reduce the rate of interest to the poor, at the very maximum, to 15 per cent., and in all probability to from 10 to 12.

519. The profits of the Parisian Mont de Piété go to public charities?—They do. In the commencement of 1837, which was immediately subsequent to my visit to Paris, I received from Monsieur Lafitte, the director-general of the establishment there, a statement of the account he laid before the Council of State at that period, by which it appeared that the Paris Mont de Piété had at that period, to commence business, the sum of 1,800,000*l.* sterling; and at the close of the previous year, which was 1836, immediately preceding the period I allude to, after paying all expenses, the Paris Mont de Piété handed over to the public charities of the city, a little more than 9,000*l.*; their expenses being at the enormous amount of 29,000 and odd pounds sterling, per annum.

520. That 9,000*l.*, which they handed over to public charities, was the result of one year?—It was.

521. Mr. *Young.*] What rate of interest did they pay to people who had lent

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money to the establishment?—The rate of interest fluctuates that is paid to the lenders of money to the Paris establishment; it is settled by the Council of State at the commencement of each year; in 1836 the Council of State settled it according to the value of money in the market at $3\frac{1}{2}$ per cent.; at the commencement of 1837 it was fixed at 4 per cent.; and the rate of interest charged by the Mont de Piété fluctuates accordingly as they are obliged to pay more or less for the money they borrow.

522. Do those three items, the sums paid over to charities, the amount of expenses and the interest absorb the total of profit?—I should say not; the Paris Mont de Piété is exceedingly rich, and they have set aside a large amount of funds, with which they have purchased buildings to a great extent, the profits of which buildings go, besides the annual sum destined to charity, annually to the support of certain hospitals in Paris also.

523. Mr. *Roche.*] Do not they keep a reserved fund?—They do.

524. For the purpose of increasing the capital?—Yes.

525. Mr. *Hutton.*] Do they obtain money in the market by subscription to the Mont de Piété on debentures, or in what way is it obtained?—It is made known by the director-general of the Mont de Piété that he is in want of money, and he takes care to be well provided with a larger sum than it is likely he will require for the year. That money is borrowed upon a description of security, or note or bill called a billet au porteur.

526. Like an Exchequer bill?—Precisely so; and any surplus that the director-general may find in his hands, not necessary for the business of the establishment, is lodged in the public treasury, thereby lightening the interest payable by the establishment.

527. Do you know whether those bills bear a premium as our Exchequer bills do?—No; I am not sure; I believe they occasionally do.

528. Do you know whether the persons lending the money are supposed to have government security for the money they advance?—Certainly; and they will naturally bear a premium in that way. Mr. Barrington has just reminded me that those debentures of the French Mont de Piété, in many instances, are bought like shares in the Royal Bank of France, and are considered as good a security.

529. Mr. *Lucas.*] Are they in small or large sums?—Any sum that may be required from a small sum to a large sum.

530. Mr. *Hutton.*] How many depôts are there in Paris?—There is one general head establishment in the Rue Blanc Manteau; there is a Secoursalle, in St. Germain; besides that, there are 27 commissionaires or agents, who, at their own responsibility, receive goods from persons desirous of pledging them, at the Mont de Piété, which goods are every morning brought to the head establishment and re-valued, when, if too much is found to have been advanced upon them, the difference between that and what the Mont de Piété consider they are worth, is at the risk of the commissionaire; and, on the contrary, if he has lent less, he receives the balance.

531. *Chairman.*] Having made yourself conversant with the mode of transacting business at Paris, when did you open your establishment at Limerick?—The establishment opened for general business on the 13th of March 1837.

532. What profits had accrued to the institution on the 13th of March 1838?—From the return which I have prepared to lay before the Committee, containing a synopsis of the transactions, it appears that 466*l.* had been received for interest, and that there was a sum of 468*l.* more, estimating 10 per cent. upon the stock in the magazine, which was half interest charged upon the stock, then amounting to 4,685*l.* upon that day, so that it would make altogether a sum of 934*l.*, fairly presumed to be profit already then received by the establishment.

533. Was that 10 per cent. charged upon the value of the goods?—Upon the sums lent upon the goods.

534. Mr. *Hutton.*] Then that would give the gross profit of the establishment?—Yes.

535. Is there not to be deducted from the 934*l.* the amount you have to pay for the interest of your capital, the amount paid for salaries, the amount you paid for rent and other expenses?—Certainly.

536. *Chairman.*] What do those items amount to?—The sum paid for salaries and wages was about 300*l.*

537. Not including your own salary?—Not including my own salary, which, being

being a matter of minor importance, I arranged with Mr. Barrington, should be contingent on the prosperity of the establishment.

538. When you say a matter of minor importance, how much attention do you give in the course of a week to the establishment?—Every day for a certain period, as long as is necessary to inspect the arrangements going on connected with my duties.

539. If a sufficient salary was given to the secretary, it would make a very considerable addition to the sum you have stated to have been paid?—Certainly; if the profits were competent to bear any charge, it would be fair that the secretary should be remunerated.

540. Are there any other officers of the establishment in a similar situation?—Not one.

541. Are they all remunerated to the full amount of what they will be entitled to expect if the concern succeeds?—They are not, because Mr. Haynes has drawn but part of his salary.

542. Is he not entitled to a sum that would increase the 300 *l.* paid for expenses very considerably?—Certainly, when the establishment is fit to bear it.

543. Can you form any estimate of the probable amount of expenses, salaries, &c. in future years?—The salaries and all other expenses never, in this establishment, can increase; on the contrary, the profits, from what has been shown and may be shown, are certain to increase; for instance, the first month of the establishment's operations there was a receipt of 6 *l.*, and in the month of April the sum received was 93 *l.* odd.

544. When you say the expenses cannot increase, you admit that they are not at present as high as it is reasonable to expect that they must be, inasmuch as many of the persons employed are not paid sufficient salaries?—Only one person, as I have mentioned, myself, is not paid, and Mr. Haynes is not fully remunerated for his services.

545. Is there not also the releasing cashier, who is paid at a very low rate?—The releasing cashier, being a very young man, if the establishment increases in prosperity, would, perhaps, get 30 *l.* instead of 20 *l.* in a year, or 10 *l.* or 12 *l.* in advance.

546. Mr. *Lucas.*] What would the services of that young person be worth in any other establishment that he was fit for?—I should think from 30*l.* to 40*l.* a year.

547. *Chairman.*] Besides his board and lodging?—Besides his board and lodging; he lives just now in the house of Mr. Haynes.

548. Do not you think that if the officers of the institution were sufficiently paid, the expenses, which you have stated at 300*l.* a year, would probably amount to at least double that?—I should think very likely; but, even supposing that to be the case, I conceive the profit now making will pay all the expenses, leaving a profit to the hospital.

549. What is the amount of interest paid on the debentures which you have hitherto raised?—Three hundred and sixty pounds per annum; the debentures now amount to 6,100*l.*

550. You stated that you consider that 200*l.* at least would be required for the rent of your present premises?—About that.

551. Mr. *Roche.*] Is that not rather a high estimate in that part of Limerick?—About six or seven per cent. for house property is the general estimate.

552. *Chairman.*] What would be the amount of the taxes?—I should think there would be no taxes, being a public establishment; hitherto we have not been asked for any.

553. Taking the salaries at 600*l.* and the interest on debentures at 360*l.*, and the rent at 200*l.*, the expenses of the institution at present would amount to 1,160 *l.*?—About that, I should think.

554. And the profits, which you estimate as having been made within the last year, amounted to 934*l.*?—That is the profit received, but there is 10 per cent. more than I mention upon the stock in hand; I only estimate the amount of stock in hand at 10 per cent. when it should be 20, upon this ground, that, if the establishment had gone out of business, it must fairly be presumed, by Mr. Haynes's experience, that the stock of 4,685*l.* would have brought interest upon that amount at 10 per cent.; if the establishment had gone out of business

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on its completing its first year, and if it remains in existence, there is 20 per cent. to be realized upon it.

555. That is after all but an estimated profit?—That is the estimated profit that would be made, provided it is released in the average time, judging from the books of the establishment as the business has gone on.

556. Is not it possible for you to incur an actual loss?—It is not at all likely.

557. Is not it possible, supposing the goods do not fetch at auction the amount for which they have been pledged?—It is next to impossible, judging from the way in which the goods are taken out, and the rapidity with which they are released. The sum lent in one month was 1,380*l.* 7*s.* 5*d.*, and the sum received was 1,317*l.* 5*s.* 0¼*d.*

558. Calculating the profit upon the goods in store at present at 10 per cent., and adding that to the sum of 466*l.* which has actually been received for interest upon advances in the last year's operations, the two sums together amount only to 934*l.*; whereas the fair expenses of the institution may be estimated at 1,160*l.*, leaving the institution, by that calculation, in a considerable minus?—The amount of the difference now spoken of is, of course, drawn from the funds of the institution.

559. If the amount of profit upon stock in hand should realize 20 per cent., then what profit would you have made in the course of the year?—About 1,390*l.*, thereby covering all expenses of every description.

560. And leaving how much to the credit of the hospital?—Two hundred and forty pounds, which would have gone to the credit of the hospital.

561. Mr. *Roche.*] Was your capital in that year as large as it is at present?—No, it has increased gradually from the commencement of the establishment; we started with a very small capital, with about 2,500*l.*; it has been progressively increasing; but at the commencement the expenses were as heavy as they are now.

562. Are you aware that the pawnbrokers consider that you are not fairly entitled to calculate so large a profit as 20 per cent. upon the amount of your goods in hand; and also that they calculate that you will suffer some loss by the articles sold at auction not fetching so much, in certain instances, as the sums which you have lent upon them?—I am quite aware that the pawnbrokers think so, and they make no hesitation in saying it.

563. But you think that their statements to that effect are erroneous?—I am almost certain, from the manner in which goods are released, and the very small quantity, if any, that remain in the stores, that there will no loss accrue upon the sales of the Mont de Piété.

564. Is not it probable that the things that remain in the stores are the worst articles, and those upon which it is most likely that loss will occur?—No, there is an average description of articles remaining in store, and by no means a large amount of bad and a small amount of good property.

565. Is not the interest which every individual has in redeeming his goods less in proportion to the deterioration which has occurred during the space of time which they have been in your possession?—That is so certainly to a considerable extent; but a very large proportion of the property remaining in the stores of the Limerick Mont de Piété consists of plate on which there is no deterioration, being taken and valued by the ounce.

566. Of the articles which were pawned in the first two months of the business of the establishment, are there many which remain in store?—Very few.

567. Mr. *Ponsonby.*] Has the auction ever taken place at the establishment?—Not yet.

568. *Chairman.*] Even supposing that the valuators have been careful in always taking in goods at a sum considerably below the amount of their value, and supposing that the system of inspection has been sufficiently active up to the present period, do not you think, however, that it is likely that in future times the inspection may be less active, and in a series of years that a great loss may be incurred?—I do not.

569. Has it not always been found that it is difficult to obtain a sufficient degree of attention from hired servants in conducting a business of that sort, and that the self-interest of the proprietor is necessary to induce a proper amount of care?—Invariably; I should conceive from the experience of human life that that has been the case.

570. Then,

570. Then, do not you think that, in order to have a fair account of the losses incurred by an establishment of that kind, the estimate must be taken for an average number of years?—I should say that, provided that persons in charge of the departments are equally careful with those now in charge of the departments of the Mont de Piété, that will not be the case.

571. Are you aware that in the French Mont de Piété the valuators are obliged to refund to the institution any loss which may be experienced upon the sale of the goods?—I am quite aware of that, and to lodge security to that effect.

572. Does not that oblige the institution to pay them a very large amount of salary, much larger than that which you allow in your limited scale of salaries to your valuators?—It does, to a certain extent.

573. Then, if the institution was saved from loss by a similar regulation as that which exists at Paris, the expenses of your institution must necessarily be higher than they are at present?—To a certain extent they must be increased; but I conceive that one case would meet the other, and in that way that the advantage would balance the disadvantage.

574. Mr. *Lucas.*] That is, that the risk, falling upon the agent instead of falling upon the establishment, would re-imburse the establishment for the additional salary?—Certainly.

575. *Chairman.*] Has the capital employed been found sufficient for the purposes of your establishment?—By no means.

576. Is there any intention of increasing the capital?—By every means within the power of the board of direction.

577. Mr. *Lucas.*] What means are there that occur to you?—The finding of more money on the issue of debentures, and any other funds that can be obtained from loan funds or other sources.

578. You have already given in one of the debentures; that is the invariable form upon which you borrow money?—Yes.

579. That debenture is the only security which the lenders to that fund have for the return of their money?—The only one.

580. Mr. *Young.*] Do the officers give security?—They do.

581. To what amount?—Mr. Haynes gives security to the amount of from 800*l.* to 1,000*l.*; it is not yet quite settled; and the under valuators are to give security, but the amount of that security is not yet settled by the board of direction.

582. *Chairman.*] Is Mr. Haynes a debenture-holder?—He is, to small extent.

583. To what extent?—He at present holds, I think, 260*l.* of debentures.

584. Do you hold any debentures?—I do not at present.

585. Do you think it is likely that you will be able to raise a large additional sum by debentures?—I think we shall have some difficulty in doing it, unless we are assisted by some other means. Hitherto I have used no personal solicitation whatever in inducing people to invest money in the establishment.

586. Do not you think that the inducement to invest money in the establishment is principally derived from the great reliance placed, in Limerick, upon Mr. Barrington's name?—In some measure it has been so; but the principal part of the funds have, decidedly, been invested with a view of obtaining a better rate of interest than they can get anywhere else; and something upon Mr. Barrington's account, from his benevolent intentions and views.

587. Mr. *Lucas.*] Do you think the prospects of the establishment are such as to induce careful persons to lend money upon those debentures?—I do, unquestionably.

588. *Chairman.*] Uninfluenced by benevolent motives?—Yes, and that is a very general opinion in Limerick.

589. Then why do you think it unlikely that the funds should be largely increased?—Because there is not much money to spare in Limerick for any purpose.

590. Mr. *Ponsonby.*] Are the greatest part of the debentures in the hands of the inhabitants of Limerick?—Yes.

591. None from Dublin?—There is a certain portion.

592. Mr. *Roche.*] Have you got a loan of public money?—We got a loan of 2,000*l.* from the fund raised to establish schools of industry in Munster and Connaught.

593. Is that included in the 6,100*l.*?—It is.

594. *Chairman.*] Do you pay six per cent. for that?—We do.

 595. What

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595. What steps have you taken, in consequence of the deficiency of capital, to limit your advances?—By directing the valuators only to lend money to such persons as came within the meaning of Mr. Barrington's original intention to relieve; I mean, generally; particular cases of lending large sums occur in the institution; but the synoptical statement now upon the table will show the Committee that six-sevenths of the business of the Limerick Mont de Piété is in loans under 5*s.*

596. You do not lend any sums under 1*s.*?—Not any.

597. By so limiting yourself to sums between 1*s.* and 5*s.*, have not you got the most profitable business which can be conducted upon that system of doing business?—I do not think we have.

598. Are not sums below 5*s.* the sort of sums which are most likely to be rapidly released?—They generally are.

599. So that the capital is turned more frequently, and profit is derived more rapidly, upon that class of loans between 1*s.* and 5*s.* than it would be upon loans at a higher rate?—That is the case, certainly.

600. What is the number of pledges that have been taken in the course of 12 months in your establishment?—In the course of the first year of its operations about 92,000 pledges up to the end of December, and above 70,000 released.

601. What amount of money do you think could have been profitably lent by the establishment?—From 12,000*l.* to 15,000*l.*, certainly.

602. But that can only be a matter of estimated calculation?—Mr. Haynes has turned away, I suppose, six persons for three that he served.

603. Did some also go away who found that the amount which you would lend upon the pledge was insufficient to induce them to part with it?—They said in some cases that it was insufficient for their object.

604. Can you state any facts which show that the saving to the poor, during the time that your establishment has been in operation, has been considerable?—Mr. Haynes is more in possession of the details than I am; he has the tables and various calculations which he has made of the various days' releasing.

605. What advantages do you think have been derived by the establishment of the Mont de Piété beside the saving which it has made to the poor there?—A considerable amount of moral good, certainly, has been effected in checking crime of various kinds, as all property that is not only ascertained but suspected to be stolen is instantly stopped until it can be ascertained whether it has been honestly come by or not; and the conductor, Mr. Haynes, has already stated to the Committee that he has transported two persons for bringing stolen property which was traced; and imprisoned at least three times that number.

606. Do you find that the class of people that frequent the Mont de Piété are of a more prudent kind than those that go to the ordinary pawnbroking establishments?—They are.

607. Who raise money for the purpose of obtaining a profit from it?—For the purposes of carrying on industrious traffic, sometimes in the way of huckstering, several instances of which have occurred.

608. Can you state any instances that have come within your own knowledge?—One instance that occurs to me was that of a person who purchased a kish, or large basket of potatoes, for 6*s.*, which upon retailing realized him 14*s.* in the space of a day and a half, in consequence of the rise and fluctuation of the market.

609. A person, who is inclined to be prudent and to make money, would be more likely to come to an establishment in which he had confidence, than to deal with pawnbrokers with whom persons are generally considered to be less secure in their dealings?—Certainly.

610. On the other hand, a person who is in distressed circumstances may perhaps be afraid of coming to an establishment where publicity to his necessities might be given, so that such a person would perhaps be more likely to go to a pawnbroker where the fact of his having required assistance might not become so generally known?—For a month or two there was an impression of that kind, and it had some effect upon the minds of respectable persons, who were necessitated to pledge goods; but, latterly, after it was ascertained that the utmost secrecy, and indeed additional secrecy compared with that of the pawnbrokers, was preserved in the transactions of the Mont de Piété, persons of all descriptions have come with perfect confidence to pledge goods at the establishment.

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611. Do you find that persons often come to pledge articles upon the Saturday morning before the wages are paid, and redeem the article which they pledged in the morning at night?—It is a constant weekly practice.

612. Is there a considerable saving to themselves by this, notwithstanding the interest they pay?—Very considerable, in this way, that the price of potatoes in the early market would be probably a halfpenny to a penny a stone lower than they will be in the evening market, and to a necessitous person, who is obliged to have them for the maintenance of his family upon the Sunday, it is a great object to save this difference in price; the same holds good of milk in about the same proportion.

613. Potatoes and milk bear a much higher price in the evening than in the morning, when sold by retail?—When sold by retail, generally speaking, they do.

614. The publicity which has been given, and the fair dealing which is known to exist in your establishment, may also have induced people to come from a greater distance in the country, who, not knowing the ways of the town, might have had an apprehension of going to a pawnbroker's?—That is very eminently the case; people have come from 20 miles round from that consideration, combined with Mr. Barrington's known character for benevolence and kindness to his townspeople.

615. If the other pawnbrokers in Limerick were to reduce their rate of interest, what do you think would be the result of that to your establishment?—I do not think it would affect it much.

616. Do you think your debentures would sell equally well?—I think quite as well.

617. Do not you suppose that you get a great deal of business, in consequence of your charging a lower rate of interest than the pawnbrokers do?—We get a considerable amount of business; but we also lose a vast amount of business by the manner in which the pawnbrokers conduct their business, by taking in pledges at the most illegal hours; the Mont de Piété is prejudiced to the extent of half as much business as it would otherwise have upon that ground alone. I think that if the provisions of the law were fulfilled in requiring the pawnbrokers to keep the hours required by law for opening the places of business, the Mont de Piété would have done half as much business again.

618. Do you think it would be a great advantage, not only to your establishment, but to any pawnbroker that wishes to act according to law, if a more close system of inspection was devised, by which they should be made easily amenable to the enactments contained in the law?—I am quite of that opinion, and every pawnbroker, anxious to deal with honesty and propriety, will support the prayer of any petition to the Legislature to that effect.

619. Do you consider that your establishment is a regularly licensed establishment?—Quite so; our conductor, Mr. Haynes, who is the head of the pawnbroking establishment, is a licensed pawnbroker, and the establishment is also empowered to lend money upon property in the terms of the Act 6 Will. IV., called the Loan Fund Act for Ireland, which especially mentions a charitable pawn office.

620. But the establishment is not registered in the marshal's office in Dublin?—It has not been, as far as I am aware; the rules have been registered with the Loan Fund Board, and certified by Mr. Hutton, the barrister.

Mr. *Andrew Carr*, called in; and Examined.

Mr. *Andrew Carr.*

621. *Chairman.*] WHERE do you live?—At Bagot-street, in the city of Dublin.

622. Have you paid much attention to the mode in which the pawnbroking business is transacted in Dublin?—I have.

623. How long have you turned your attention to it?—The last five years.

624. Have you endeavoured to get any alteration made in the law?—I have, by application to several of the chief secretaries of Ireland, during that time.

625. Have you pointed out to them the points in which you considered that the law was deficient to meet the cases of grievance which came within your knowledge?—A great number of them, I have.

626. What do you consider the greatest grievance of the system, as it is at present carried on in Dublin?—I conceive the rate of interest to be the principal, and, secondly, the manner in which the auctions are held.

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627. Do you mean that the rate of interest allowed by law is too high, or that the pawnbrokers charge a higher sum than they are allowed by law?—Both; the rate of interest allowed by law, I conceive to be considerably too high, and that the pawnbrokers exact interest beyond that.

628. Have you ever prosecuted any pawnbroker for charging a higher interest than that allowed by law?—I have, in three cases.

629. What was the name of the pawnbroker, and before what magistrate did you prosecute him?—Before counsellor Cole, of Henry-street police office.

630. Did you succeed in that prosecution?—I did not; I succeeded so far as to establish that he acted improperly, but could not inflict any penalty upon him, as there is none allowed by law; this is a certificate I received at the time from counsellor Cole, who regretted his want of power to go further.

[*The Witness delivered in the same.*]

631. Is this written by Mr. Cole?—It is.

632. Then the goods were given up upon payment of the legal interest, but no penalty was levied upon the pawnbroker for having exacted illegal interest?—No penalty could be inflicted upon the pawnbroker, and nothing further was done; my object was to try the question, whether they had a right to charge that extra sum or not, and I established that they had not the right, and that satisfied me.

633. Did you try to obtain the infliction of a penalty?—No, I did not; I was aware that there was no penalty, upon reading the Act; but I wished for the magistrate to strike out some manner in which it could be suppressed.

634. But, in point of fact, it never has been suppressed?—It never has; they continue receiving the same to this day.

635. Have you been in any pawnbroker's shop in Dublin, and have you observed whether the table of interest is placed in a conspicuous part of the shop or not?—I made it my business not only to inspect them, but also to inquire, and I never could observe one; and, on inquiry, I was told by two pawnbrokers, that such things were never put up in any pawnbroker's house in the city of Dublin.

636. Do you know whether any pawnbrokers in Dublin sell spirits in contravention to the provisions of the Act?—I have heard that they do.

637. What pawnbrokers do you allude to?—A man of the name of Michael Nolan. I made inquiry at the Excise-office, and I found it exactly correspond with the information I got.

638. Do you believe that he sells spirits in some other shop, or within the pawnbroking establishment?—Not within the pawnbroking establishment, but at a distance of some streets from it.

639. Have you also endeavoured to examine auctioneers' books?—I have paid particular attention to them, and on examination I found it impossible to trace an article which has been sold by the pawnbrokers. I applied to him and I found that he marked in the book that it had been sold on such a day for such an amount. I wanted to ascertain then if the auctioneer's book was correct, but from the auctioneer's book it is impossible to trace it, by any thing except the sum; they have neither the number nor the name nor any particular description of the article entered in the auctioneer's book, as they are directed to have by the Act of Parliament.

640. You mean that the description of the article entered in the auctioneer's book is not sufficient for you to identify it?—Certainly not.

641. They enter "a book," "a coat," "a bed," &c., but they do not enter what particular description of article it is?—They do not enter any other description of it.

642. Nor do they enter the number marked upon the duplicate?—No, nor the owner's name, nor the person to whom sold.

643. Have you attended sales frequently?—Frequently.

644. At what hours were the sales conducted?—What the pawnbrokers and pawnbrokers' auctioneers term "rummage sales," that is a mixture of a number of articles; furniture, and what they term "soft goods," they in general commence about 12 or one o'clock, and continue sometimes till 10 at night. Books, and plate, and watches and diamonds are all invariably sold at night, not commencing till nine o'clock, or after.

645. Are

645. Are they exhibited before they are put to the hammer?—Not at all; you never see them till the auctioneer presents them in his hand for sale. Mr. *Andrew Carr.*

646. Are they cleaned so as to tempt persons to buy them, by showing them off to the best advantage?—Quite the reverse; the accumulation of dust and tarnish on them, during the time they are in pawn, is never wiped off, nor the least pains taken to enhance the value of them. 24 May 1838.

647. Does there seem to be an understanding among the jobbers who frequent such sales, as to not bidding against one another?—No one attends them except brokers, and the pawnbrokers themselves, who are also brokers, and it is very generally known in the city that the brokers will never give a price for any article except what they are quite satisfied that they will have a very considerable profit upon; I have known articles to be purchased at pawnbrokers' auctions; I could name one that was sold for 1 *l.* 19 *s.*, and it was sold a few days after at another public auction for 4 *l.* 10 *s.*; in another case, a picture that was purchased at a pawnbroker's auction, for 1 *s.* 3 *d.* or 1 *s.* 4 *d.*, sold a few days after for 1 *l.* at another public auction.

648. The other public auction was held during the day-time?—Yes; the broker sold it at a profit, in consequence of its being properly exhibited to the public; there is no fair exhibition to the public in the other case.

649. Have you any other facts to state to the Committee?—Nothing else, except the manner in which those auctions are conducted; the want of publicity to them; they are scarcely ever advertised; there is no posting except in the interior of the auction-room; no crying or calling auction.

650. Have you found it very difficult to get an account of goods, when you have inquired for them at pawn offices?—I have found it almost impossible to get an account of them; latterly it has been better, but formerly it was almost impossible to get an account of any goods that had been sold.

651. But latterly they have been more willing?—More willing to accommodate.

652. Do you attribute that to the publicity which has latterly occurred as to the system?—I do.

Veneris, 25° die Maii, 1838.

MEMBERS PRESENT:

Mr. Wm. Roche.	Mr Tennent.
Mr. Hutton.	Mr. John Young.
Mr. Beamish.	Mr. Redington.
Lord Adare.	

LORD VISCOUNT CLEMENTS, IN THE CHAIR.

Matthew Barrington, Esquire, called in; and Examined.

653. *Chairman.*] I BELIEVE you have taken a great deal of interest in the public institutions of Limerick?—I have. *M. Barrington*, Esq.

654. And in those which relate to the relieving of the poor of that town?—I have. 25 May 1838.

655. The number of poor in Limerick is very considerable, indeed, is it not?—Very large.

656. I believe it was that which induced you to inquire into the way in which the present system of pawnbroking affected them, and to establish an institution at Limerick, called the Mont de Piété, where pawnbroking is carried on upon terms more advantageous to the poor?—It was. I had two objects in inquiring into the present system of pawnbroking; I found that all the laws relating to pawnbrokers in Ireland were either evaded or totally inoperative; and, secondly, I found it necessary to provide funds for the support of an hospital, in which I took an interest.

657. I believe your family founded that hospital?—They did.

658. At their own expense?—Yes, solely.

 659. That

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659. That hospital was found to be a great benefit at the time the cholera raged?—Yes, there were a great many hundred people relieved there during the cholera.

660. Did you intend that, if there were any profits derivable, through the trade of pawnbroking, from the poor, they should be expended for their benefit in the Barrington Hospital, after the manner in which the profits of pawnbrokers in the continental towns are expended in charitable purposes?—I did; and I had another object in the establishment of the Mont de Piété, and that was to endeavour to correct by competition the system of the pawnbrokers, or at all events to bring it prominently before the public, which I had found neither writing nor publishing could effect.

661. Do you find that you have obtained those objects in the establishment you have been the means of instituting?—Yes; I do find there is a prospect of profit arising from the Mont de Piété; and that the object has become one of public interest; and that the laws relating to pawnbrokers are likely now to be amended.

662. Do you find that the rate of interest charged to the poor in Limerick has been lowered by the ordinary pawnbrokers, in consequence of the competition the Mont de Piété has introduced?—I am not aware whether it has; I have heard that it has; I am not aware of it.

663. Have you heard that, in consequence of the law being now better understood, there has been a more regular system of keeping books established by pawnbrokers, and that greater satisfaction has been given to the poor pledgers by the pawnbrokers in Limerick?—I believe, since the publication of a pamphlet of mine three years ago, the pawnbrokers have been more cautious, and the respectable pawnbrokers understand better the law applicable to their business now, than they did some years ago; but I do not know that there has been any general improvement.

664. You think some regulations are still required to be enacted by law, to effect the improvement you consider necessary?—Yes, I do; the total repeal of the two Acts of Parliament affecting pawnbrokers in Ireland, the 26th and the 28th Geo. III.; those are the only Acts affecting the pawnbrokers generally; there are some clauses in Local Acts relating to Dublin; but I conceive it absolutely necessary to repeal all the laws relating to pawnbrokers, and to embody them in one Act, as well for the benefit of the respectable pawnbrokers as for that of the poor.

665. Do you consider there are any reasons which render it particularly desirable that the pawnbroking trade should be regulated by law different from those which apply to other trades?—I do; it is a trade that exclusively derives its profits from the necessities and distresses of the lowest description of the people; I have gone through the returns which have been printed for the House of Commons since the day before yesterday, and I find, in Dungarvon, in 1837, the number of pawns was 114,587, upon which the sum of 718*l.* 6*s.* 3*d.* was lent, which would be an average of only 1½*d.* a pledge.

666. Do you believe those returns to be correct?—My own impression is, that none of those returns are correct.

667. Then, as far as any calculation upon those returns is concerned, you would not rely very much upon it?—No, I would not; but, I had no other data to go upon. The pawnbrokers must either disavow those returns or rely upon them; and in either way it shows the necessity for an absolute revision of the law. The only officer who has any control of the pawnbrokers in Ireland is the marshal of Dublin; if his returns are false, it shows the necessity for an alteration; if his returns are true, it shows the frightful state of the trade. In Dungarvon, the amount for tickets would be 477*l.* upon the sum of 718*l.* lent, and without any interest.

668. Probably there would be 477*l.* worth of labour in taking in those pledges, warehousing them, and giving the duplicates and going through the labour which occurs on releasing the goods?—I do not say that the ticket-money, if properly regulated, is an unfair charge; I think it may very fairly apply to the duty to be done for it. Another necessity for altering the law is, that shame and poverty are two causes which will constantly prevent the pawnbroker being punished; a respectable man will not prosecute if there is a breach of the law committed against him, and the poor man is unable to prosecute; perhaps the very subject of the complaint is not equal to the day's wages he would lose in seeking redress from the magistrate at the police office.

669. Therefore,

669. Therefore, as there are those obstacles to prosecuting a pawnbroker, there seems to you to be an additional reason why the law should endeavour to supply that defect, and why the trade should be regulated by means of some system either of license or of inspection?—Of both.

670. Will you have the goodness to state what you consider the most crying evil which affects the poor in the present defective state of the law?—It would be very hard to select one; the first injury to the poor is the illegal interest; it is the common practice all through the country, with some exceptions, to charge interest on sums lent under 1*s.*, besides 1*d.* for duplicate; I believe, in Limerick, they do not charge interest under 1*s.*; in Dublin they do, though Dublin is more particularly under the cognizance of the police than the rest of Ireland; in Dublin they charge a halfpenny for sums under 1*s.*; sometimes upon 3*d.* or 4*d.* or 10*d.* they charge one halfpenny interest per month, although there is no charge allowed by law upon any sum that does not exceed 1*s.*; and though that may be considered a very small amount, yet, when you consider that the pawns taken in Dublin alone are 3,778,582, it is manifest it must amount to a considerable sum.

671. Mr. *Hutton.*] That is the number of pawns?—Yes; and, according to the returns, there are at least half of them, or six out of 10 under 2*s.*; then it is clear that almost the whole, or the great mass of the pawning in Ireland, is by the very lowest description of the people; they are not allowed by law to lend over 10*l.*, but the greater mass is under 5*s.*; I should say that the greatest grievance is the charge of interest for sums under 1*s.*; the next grievance is the duplicates; I think the great objection to the interest is, that it is charged upon pledges under 1*s.*; according to the Act of Parliament, the sums are exceeding 1*s.* and not exceeding 2*s.*, then the interest is charged on 1*s.* as if it exceeded 1*s.*, and on 2*s.*, as if it exceeded 2*s.*; they are not entitled to any interest for 1*s.*, or any sum under 1*s.*

672. *Chairman.*] Is the overcharge of interest universal or only general; are there some pawnbrokers who do not make the overcharge?—I believe there are; I have understood it to be universal in Dublin; I believe it is not so in Limerick, and I believe in other places, where it exceeds 1*s.*, they do not charge one halfpenny for the first month; in Dublin they do not charge that halfpenny, but for the second month they do, and every succeeding month, which is equally illegal.

673. At all events, if they do charge illegally, there seems to be no efficient means of obtaining redress?—There is no redress, except by bringing an action for the surplus against the pawnbroker, or a complaint before the magistrates; and there was an instance at Cork, in which counsel gave an opinion there could be no redress against the pawnbroker, from the state of the Pawnbrokers' Act.

674. Will you state the particulars of that case?—I do not know the particulars, but they can be got.

675. What do you consider the other defects in the state of the law as to pawnbrokers?—The kind of duplicate that is given is very bad; such a thing as this—[*exhibiting a duplicate*]—is easily lost.

676. State the next point of objection to the present law?—The Act directs that no goods shall be received from a washerwoman at any time, or plate with crests; but those articles are very commonly received, without any inquiry as to whom they belong, also as table linen and articles of that kind, though the pawnbroker may detain any person he has a suspicion of, and he is indemnified by the Act if he makes a mistake; but there are very few instances of people being detained.

667. Do you conceive the mode of holding auctions is inefficient at present?—I do. The sale of spirits is another grievance; pawnbrokers keep public houses in several instances, though the Act declares that no pawnbroker shall have a license who keeps a public house. There is an instance of a man having a license as a pawnbroker in his wife's maiden name, he being her security, and himself keeping a public house. We have another case of a pawnbroker in a midland county keeping a pawn office in the town and a public house also; the pawn office in his own name and the public house in his brother's, all under the same roof. In the English Act there is a clause against lending money to a drunkard; there is no such restriction in the law of Ireland, but there are many most respectable men in the pawnbroking trade who would not do it. I allude to the trade generally, amongst whom the practice is common.

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678–9. Mr. *Hutton.*] Do you conceive that it would be advantageous to those who carry on the trade respectably to have such restrictions as would prevent that practice?—Yes, no doubt of it.

680. Mr. *Tennent.*] That clause in the English Act, does it refer to persons in a state of intoxication, or habitual drunkards?—It says, persons in a state of intoxication; it means persons going into the office drunk; we have at the Mont de Piété refused invariably to take goods from persons in a state of intoxication, and we have prosecuted several and detained others till we sent for the police; and the police officer at Limerick said, that the Mont de Piété was of the greatest use in detecting stolen goods.

681. *Chairman.*] Do you find that the mode of holding auctions is defective?—Yes,no doubt of it, and the whole regulation is most absurd; in Dublin, there is a monopoly of the pawnbrokers' auctioneers. Before the year 1786, the first Pawning Act, the corporation of Dublin claimed the right of appointing auctioneers for the pawnbrokers; it appears that pawnbroking existed before there was any law to regulate the trade, and the corporation claimed the right of naming the auctioneers for the pawnbrokers; they said that that duty belonged to the marshal and the sword-bearer; there was a compromise with the Government of that day, and they agreed that the Government should appoint two and the corporation should appoint two, and one of those officers has the regulation of all the rest of the pawnbrokers in Ireland, that is, the marshal in Dublin; and the effect is this, that the marshal retained one auctioneer and the sword-bearer another, and the Government appoints two; and I think it appears by the corporate inquiry what an enormous amount of income these auctioneers have, though the duty is performed by deputies. Then, with respect to the auctions in the rest of Ireland, the law authorizes the grand juries of the several counties and cities in Ireland to appoint appraisers, but I believe there is not an instance of an appraiser in Ireland acting; I believe there are one or two instances of their being appointed; in the county of Cork the grand jury appointed an auctioneer, but the pawnbrokers did not choose to employ him, and would not send their goods to him.

682. Mr. *Hutton.*] What do you conceive to be the duty of the appraiser in Ireland?—He values goods after the forfeiture, and sells them; that is the regulation of the Act; it was to secure a fair sale.

683. *Chairman.*] Do you think that the appointment of auctioneers in Dublin has tended to insure a fair sale?—I think that the appointment of auctioneers in Dublin has tended to insure sales, but, from all I have heard, I cannot suppose that the sales are fair.

684. Have the sales obtained any advantage for the poor man?—I believe scarcely in any instances is there any surplus for anybody; whether it is because they lend too much, or not returning the surplus, the poor get very little back in any part of Ireland.

685. Then the employment of appraisers and auctioneers, in the way it has been hitherto done, you consider of no advantage whatever to the persons who have been unable to redeem their pledges?—Certainly not.

686. Mr. *Hutton.*] Do you consider there is any difference between the appraiser in the country and the auctioneer in Dublin?—No, they are synonymous; it is merely a name given them by the Act. I cannot conceive it fair that the auctioneer has an interest in what he is selling beyond a fair per centage; I conceive if a Master in Chancery has the power of giving credit for his own advantage to an individual who purchases an estate, there must be something unfair in the auction. I find that the auctioneer pays ready money to the pawnbroker, whose goods are sent in to be sold, and gives credit to the brokers who purchase those goods: surely there must be some understanding either with the pawnbroker or the buyer, and the auction is not a *bonâ fide* sale of property belonging to a third person, who is no party to the transaction; I believe that is not disputed.

687. *Chairman.*] Do you think there is, generally speaking, a loss or not to the pawnbroker upon the sale of unredeemed pledges?—I believe from what I have heard and from inquiries I have made, that there ultimately is not a loss to the pawnbroker; for, though there is a loss upon one article, he makes it up on the sale of another; and frequently I understand, I cannot give evidence of the fact, but what I believe can be proved, the habit is this: suppose two articles are sold, and one is sold upon which the sum of 6*s.* is lent, and it sells for 4*s.*, there is a loss to the pawnbroker of 2*s.*; another article, upon which 10*s.* is lent, sells for 14*s.*; there is a gain of 4*s.*; and, in making the gross Tot, it is only

to

to change the four to a seven upon the 6 *s.* article, and the 14 to 11 upon the 10 *s.* article, which then appears to have sold for 11 *s.*, and it produces in the end the same gross amount upon the two articles.

688. Mr. *Hutton.*] You conceive they take the average of losses and gains, and make up by one for what they lose upon the other?—Yes, and that to the great injury of the poor man; the poor man, who has got less upon his article, looses by it; so that the habit of lending near the value is the greatest injury to the poor.

689. And that could not take place if the auctioneer or pawnbroker was bound by proper regulations to return the overplus to the person pawning an article of a certain value, he receiving less upon it?—No.

690. *Chairman.*] When you first began the Mont de Piété at Limerick, did you challenge the pawnbrokers to prove a loss on the sale of their forfeited pledges?—Yes; I called a public meeting at the court-house, and challenged the pawnbrokers to produce an instance of a surplus being given to a poor man, and there was no reply; a great many pawnbrokers attended, and one man said he returned some money; I said that the exception proved the rule. As to the notice in Dublin, I think that is perfectly useless; I think it is a trouble to the pawnbroker, and quite useless. I speak of the kind of notices now given; there is no notice in the country, and required only in Dublin when the party resides there, and the sum lent is over 4 *s.*, which is avoided by putting the residence outside of Dublin, if the article is of the value of 4 *s.* or upwards.

691. Mr. *Beamish.*] So as to evade the service of the notice?—Yes.

692. *Chairman.*] Do you conceive that it is desirable to improve the present system of licensing pawnbrokers?—Absolutely necessary; at present almost any man can trade as a pawnbroker in Ireland; there is no license whatever out of Dublin, and the license in Dublin is rather a police tax; it was directed to be paid not so much as a regulation for the pawnbrokers as a source of revenue for the support of the police. Out of Dublin there is no license whatever. The course out of Dublin to obtain what is called a license for a pawnbroker is the passing of a bond, himself in 300 *l.*, and three sureties in 100 *l.* each; a certificate of the lodging of that bond is sent to the marshal at Dublin, for which he is entitled to charge 5 *s.*; and in one instance at Tandaragee he charged 10 guineas.

693. Mr. *Hutton.*] Was it proved that the 10 guineas were paid to him?—Yes, I have a letter from Mr. Porter yesterday, stating he was astonished at the charge which he had to pay of 10 guineas. I mention this to show there is not a single clause in the Acts relating to the pawnbrokers' trade in which I cannot prove an evasion or violation; and what is the effect? In Belfast there are 47 pawnbrokers who never entered into any bond at all; they give their certificate to the officer, and no bond has been entered into, as appears by the returns.

694. Can you state any other cases?—Ennis 4, Kilrush 3, Lisburn 6, Tralee 5; in all, near 185, without bonds, as required by law.

695. You have taken that from a comparison of what papers?—A comparison of the marshal's return of the number of pawnbrokers, and from the clerks of the peace of the counties and town clerks in the cities or towns where the bonds are directed to be lodged.

696. Mr. *Tennent.*] Do you attribute that to the laches on the part of the marshal, or to fraud of the parties?—I attribute it to the total indifference on the part of the marshal, pawnbroker and town clerk and all, who think when the certificate is sent to the marshal, all that is necessary is done.

697. He sends, what?—The pawnbroker goes to the town clerk, and if he can satisfy him, so as to send to the marshal a certificate that the bonds are lodged, the marshal records him as a pawnbroker.

698. Then, it is the fraud of the town clerk?—To such an extent as 47, it must be evidently ignorance of the law; it could not be intentional fraud; there could be no such intent of fraud in the whole town; it shows that was the habit, and that they did not think there was any thing more to do than to go to the town clerk and show him the person was respectable.

699. Mr. *Roche.*] In fact, the Act has fallen into disuetude?—Yes.

700. Mr. *Young.*] Does the town clerk receive any fee?—He is entitled to a fee for lodging the bond; but there is no regular fee.

701. *Chairman.*] Are there any other omissions or evasions of the law you would wish to notice to the Committee?—The effect of not taking out a license is, that if any one of those pawnbrokers who have not executed the bond is prosecuted for a penalty, the magistrates cannot enforce it, as they are not pawn-

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brokers within the Act; and even when the bonds are given, they are scarcely ever renewed. I have gone through the list, and I have found a variety of securities not renewed; they are directed to be renewed, on death or failure of the sureties, but they are scarcely ever renewed; the consequence of which is, there can be no recovery of the penalty; it is not an annual lodging of the bond; there is no annual license any where, except in Dublin; it is a mere lodging of the bond, and there is an end of it for ever.

702. Mr. *Beamish.*] It is binding as long as the sureties live?—Yes.

703. *Chairman.*] In short, there is no machinery for rendering the bond available as a check upon the pawnbroker; and, if it was available, you do not think it would be a sufficient check?—Certainly; there is another omission; the rates of interest are not hung up in the office, and the hours of business commence much earlier than the law directs, and the doing business on Sunday. It is the greatest encouragement to robberies if the shop is open early in the morning; the goods stolen at night are disposed of easily in the morning; the law directs that the offices should not open early in the morning, so as to give notice to the pawnbrokers of the robbery; that was one of the objects for which the clause was brought in.

704. It was in order to call public attention to those defects, and in order to procure, for the use of the poor, the benefits derived from their necessities, that you instituted the Mont de Piété at Limerick?—It was.

705. Do you consider, under a well-regulated system, pawnbroking may be of itself an advantage to the necessitous?—I consider a pawnbroker of the greatest use to the poor; I think those poor who cannot get security for loans have no other resource but the pawn office, unless they steal or commit crime.

706. Also do you not consider that the poor man may have an urgent necessity for money, in a case where he may not have it in his power to wait for the necessary formalities which are required by the loan funds now regularly established?—Yes; and it is of great advantage to labourers in purchasing provisions in the morning, and taking advantage of the early market, and re-paying the loan in the evening when they get their wages, and not dealing with the hucksters.

707. Do you think that your establishment, having obtained the confidence of the people from your name being used in connexion with it, has induced persons, who otherwise would not have ventured to enter a pawnbroker's shop, to obtain the advantages which are derivable from procuring a small loan of money?—I think that, if a Mont de Piété were established in Dublin or any other town, it would have equal business in Dublin, Cork or elsewhere; my name has got some of the deposits, the people lodging their money in it from confidence in me; I feel that so much, that though not bound by law to those who have debentures in it, I feel a moral obligation that they should not lose by it, and it is on that account I did not increase the capital.

708. Do you think that the fair way in which the business is transacted at the Mont de Piété, and the certainty of obtaining some account of their property when sold, have occasioned a class of persons to come to the establishment who would have been afraid to trust their goods with the pawnbrokers?—No doubt of it; I think the people come there with the perfect certainty that if there is a surplus they will get it, and there will be no attempt to defraud or cheat them in the sale of their property.

709. Mr. *Hutton.*] They come to that establishment from a conviction founded on your name that it will be well conducted; do you think, if an establishment was opened in Dublin on fair terms, but without such advantages as a person like you have in Limerick, that such an establishment could be well and advantageously conducted?—Yes, I do not consider they come there on my account, but because they know there is no personal interest in the manager in doing them an injury; from the surplus going to a public charity, they know that the manager can have no motive in doing them an injury, and though I have heard the witnesses speaking kindly of me, I do not think that that has any thing to do with it; the poor people feel there is no motive in doing them an injustice.

710. *Chairman.*] They also come in consequence of the rate of interest charged being much smaller than that before taken?—Yes; but I am equally satisfied that, if the rate of interest was the same as the pawnbrokers', we should have a preference of all the business in Limerick if we had the capital to do it; I have no doubt of it.

711. Mr. *J. Young.*] Do you not think it would be a great disadvantage in a large town only to lend the small amounts in proportion to the value which you advance upon each article pledged?—I think that is a great advantage in lending to the poor; if you give too near the value, it ensures a forfeiture and sale; the article is scarcely worth redeeming, and the poor man is indifferent, and there is a forfeiture of it. It would be better to go to the broker and sell it, and purchase it again; but to a man who really wants a loan, and intends to redeem, it is of very little consequence what the value of the article is, if he gets the sum he wants.

712. That is, supposing he gets the sum he wants, which he does not always get?—He does if he has a security.

713. He must give treble the security for it in your case?—Yes; and I think it may be desirable to increase the loan and give half the value; but, as our object was to benefit the poor and not to make any thing by it, we thought it better to encourage the legitimate and fair use of pawnbroking, rather than to encourage those persons who did not intend to redeem.

714. We have evidence that a vast proportion of the articles remain in pawn but a very short time; in that case, would it not be advantageous to the poor, and might you not, with safety to yourselves, lend one-half or two-thirds instead of one-third of the value?—It is very probable that we would increase it; there was no rule not to give more than one-third at first, but we thought it better to begin with that kind of business.

715. You think you might increase it?—Yes.

716. Mr. *Hutton.*] Would not such a mode of carrying on your business be a direct violation of the rule upon which it has been established; I have always understood it was established upon the principle of lending a small proportion of the value, and charging a low rate of interest, having two objects in view, the security of the persons lending, and the benefit of the person borrowing?—Yes.

717. If you were to depart from that principle, you would be departing from the principle upon which it was established?—It was not any fixed sum; it was not one-third, but perfect security, and to that extent we would carry the loan; but stating one-third was more a mode of coming at what we thought would be a security than any thing else; but there was nothing fixed, except that no more should be lent than to leave no doubt of the security.

718. Mr. *Roche.*] If, in the course of experience, you find it expedient to increase your capital, there is nothing to preclude your lending a larger proportion?—No, there was nothing that limits us to any precise sum.

719. Mr. *J. Young.*] Each article, when it is brought, is valued by an experienced person?—Yes.

720. You only lend one-third?—Yes.

721. Two-thirds of it would not expose you to much risk?—No, it would not.

722. Mr. *Beamish.*] I understood you to say that, though you lent so small a sum upon a pledge, yet, nevertheless, the public would rather come to you than the pawnbrokers in the town?—Yes, any of the public that have an article upon which they can borrow the sum that they want.

723. *Chairman.*] It is generally asserted by the pawnbrokers, that, if they were to diminish their advances to one-third of the value of the goods, they would save themselves from risk, but that they would lose their customers, as other pawnbrokers would advance a sum nearer to the value; but it has been proved in your establishment, that if a diminished sum is offered, provided the interest charged is also lower than that charged by the pawnbrokers, a very large proportion of pledges will be offered on those terms by the poor and necessitous?—Yes; and I conceive that the giving near the value is injurious to the pawnbroker himself, for it leads to the very worst description of business, and to recklessness and perfect indifference on the part of the person who pawns.

724. But still, if, in order to obtain a business, the rate of interest charged is the same by all pawnbrokers, each man will endeavour to give as near the value as possible; and if a pawnbroker was to give a much smaller sum, in proportion to the value, than another pawnbroker, unless he reduced the rate of interest, as you do, he would lose his business?—Yes, he would lose his business, whenever there was another establishment that would do it at a lower rate.

725. Your establishment has proved, that, provided the rate of interest is lowered, there are a vast number of borrowers who will willingly pledge a somewhat larger amount of goods for the sum they require, in order to obtain accommodation at the lower rate of charge which your office imposes upon them?—Yes.

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726. Do you consider that your establishment can afford to do business without charging any price whatever for the duplicates?—Yes, I do; at the same time, I think that there ought to be a charge for duplicates.

727. Do you conceive that the number of entries you make in your books, and the price of the duplicate itself, the wages of the persons who examine, who value, who fold the goods and carry them up to the warehouse, who bring them down again, and who give them to the persons releasing the goods, do you conceive that all that process is fairly remunerated at the charge of one farthing, which is all you make for every individual transaction which is below 2*s.*?—I do not think it is fairly remunerated at so low a charge as one farthing, but the object we had in establishing it was, to bring the matter before the public by competition.

728. Do you think that a pawnbroker, doing business on his own account, could go through all those processes and leave a profit to himself, provided the charge was only one farthing?—Yes, I have proved it from the experience of what I have done.

729. My question refers to those articles upon which you get a profit only of a farthing; do you think that they repay your establishment for the labour performed in compensation for that farthing?—No, certainly not; nor would it repay any pawnbroker if you confined the transactions to a farthing on the loan, because you would then have the whole weight of the establishment to pay, on the one side, and, on the other, only transactions on which a farthing was paid.

730. In all those transactions in which only one farthing is the profit, do you apprehend you incur a loss?—I consider that the labour incurred on the loan of 1 *s.* 11 *d.*, or upon a loan under 2 *s.*, as not compensated by the farthing.

731. Mr. *Hutton.*] Then do you not think that it would be a more just principle to charge a moderate sum for the ticket upon each article pawned, and to make the rate of interest correspondingly lower?—Most certainly I do; I consider there is a duty performed for that ticket; and it is a most valuable document for the poor man, and ought to be paid for, and let reduction be on the interest; I believe it is quite notorious that the charge for the ticket is sufficient to pay all the expenses of the establishment.

732. The charge of what?—The charge of 1 *d.*; if we had made the charge of 1 *d.* upon a ticket, it would have amounted, upon above 100,000 pawns, to above 500 *l.*; that would go very near paying the whole expense of the establishment.

733. Mr. *Roche.*] It is that charge that remunerates the English pawnbroker for the sums he advances under 1 *s.*?—There is no charge in England for the ticket till it comes to 5 *s.*; he charges interest under 5 *s.*, but no ticket. I would charge for the ticket and not charge interest till it came to a certain sum, and for a certain period; but the law is very bad in Ireland now as to pawnbrokers; it is an encouragement to a man never to redeem; as he should, under 1 *s.*, pay no interest, and having to pay for a ticket, it is not his interest to redeem.

734. Your principle, as you have explained it, would lead you to this mode of conducting business, to charge in the first instance for the ticket, which sum so charged for the ticket should cover the interest up to a certain time, and to commence interest from that time at a moderate rate?—Yes.

735. Do you conceive that the mode which you have now mentioned of carrying on the business would practically remove some of the evils connected with it? Yes, I do.

736. *Chairman.*] Would you have the goodness to state what are the remedies you would propose to the existing state of the law as affecting pawnbrokers?—I would propose there should be an annual license with a necessary bond and qualification, to be ascertained by some tribunal, as in a license to a publican, in going before the quarter sessions or the police magistrate.

737. We should like to have your opinion upon that subject?—I would have the magistrates of the town or the quarter sessions ascertain the character of the person to get a pawnbroker's and auctioneer's license, the same as the character of a person to get a spirit license is now ascertained in the first instance.

738. Would you prefer that to the appointment of a barrister, who should go through every province of Ireland at stated periods, and examine into the charges that had been made against the pawnbrokers, which had already been substantiated before the magistrates?—For the reason I have given before, I should say no charge could be substantiated before a magistrate; the barrister would go round

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as a judge, but who is the person to bring it before him; for the two reasons, shame and poverty, there is no probability of any complaint coming before him.

739. But some of the witnesses have also recommended that the penalties to be derived from the contravention of the statute should hereafter be given to the person convicting the pawnbroker, and that might induce a greater prosecution of offences before magistrates than has hitherto been seen, where the penalty is not given to the prosecutor?—Yes, but there will not be the informer, unless there is a person to state that the offence was committed; I should suggest, in addition to an annual license, with proper qualification, and a bond with proper regulations, that the pawnbroker should keep one book with the number of the article, name of the person, what the article was, the date on which pledged, the date of release, the date of sale, and how the surplus was disposed of, and that the auctioneer should give security, bond and qualification, and also take out an annual license; that there should be no limit to the number of auctioneers, except license and qualification; that he should keep a book of sales with the number of the duplicate, articles sold, amount of sale and the date; that the rate of interest should be regulated, and charge for duplicate; that a time should be fixed for the sales after the forfeiture; I would suggest a fixed time for the sale after the forfeiture.

740. Which could not be changed either by the pawnbroker or the person pawning?—Yes, I think that a great advantage to both, that, within a certain period after the forfeiture, there should be a sale.

741. Mr. *Roche.*] Not a sale of every individual article?—Unless redeemed or the interest paid, that he should sell within six months after forfeiture; then he should have one sale within every six months.

742. Two auctions in the year?—Yes, or one in the year; that would be at matter for consideration; it is a loss to the poor man that his goods run on till the interest gets into arrear; if there is a surplus it is for the benefit of the poor man; and the moment the interest gets in arrear, it is the interest of the pawnbroker to get it back.

743. Mr. *J. Young.*] With the power of deferring the forfeiture?—Yes; I would have the sale by public notice, and with the numbers upon the things for sale corresponding with the number on the duplicate; I would sell by numbers as in England, so that the poor man would know, as in England, without exposing his name, what the article sold for; and if he went to the sale, he would be a check upon it; it is not very probable that a great many would do so, but if he did, it would be a check.

744. *Chairman.*] And the same number would be on the original duplicate?—Yes.

745. And in the auctioneer's book?—Yes.

746. Mr. *Beamish.*] One uniform number to all?—Yes.

747. *Chairman.*] You would wish the auctioneer to be licensed as well as the pawnbroker?—Yes, with qualification and security.

748. By the same officer or court?—Yes; and I would appoint inspectors, either for circuits or provinces, to go periodically round, to inspect the pawnbrokers' books and the auctioneers' books, and see how the surplus was disposed of, to hear complaints and enforce penalties.

749. Are there any other suggestions you wish to make?—The license fund would amply repay the inspectors; there would be a fund raised for the payment of the inspectors, and a considerable surplus to be given to charities or public hospitals, or the loan funds of the country.

750. Do you think it desirable to obtain a surplus from a trade, the profits of which you say are derived from the most necessitous of the community?—I would make the license so as to prevent the present system of pawning by unlicensed persons; it does not require that the license should be very considerable; it would not be injurious to the poor, but for their benefit, paying a small sum for inspectors to watch the pawnbrokers, it is their interest to do it.

751. But it would be desirable to have the surplus after paying for that inspection as small as possible?—Yes, and applicable to their own benefit again by distributing it amongst the charities in the neigbourhood.

752. You do not mean to recommend a large surplus or any surplus derivable from the license over and above what is necessary to pay for the inspection of the trade?—No, I have no doubt that the pawnbrokers in the large towns would be

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willing and anxious to pay a large license; but the effect of that would be to exclude all the minor class; I would rather keep it moderate.

753. Do you think that the effect of the license in Dublin has been to make the practice of the trade more favourable to the poor than in the country towns of Ireland, or much less so?—I think that to the pawnbrokers of Dublin, with the enormous fortunes many of them have made, it is a matter of indifference.

754. The question related to the effect of the license?—I cannot judge of that.

755. Do you think that the trade in Dublin is carried on more usefully to the poor than in the country parts of Ireland?—I cannot say that I think it is as usefully carried on as in the country parts of Ireland.

756. Is it not more useful to the poor in country towns, if the rate of interest is less than in Dublin?—Yes, it is less in some parts.

757. Then is it not more beneficial to the poor in those districts?—Yes.

758. Notwithstanding the license in Dublin?—Yes; there is another suggestion I would make of some importance, and that would be as to the disposal of the surplus derived over and above the loan upon unredeemed pledges; if possible I would prevent it going back to the pawnbroker; the pawnbroker ought merely to get his interest and to get the amount of the sum he lends; if he gets that from the auctioneer, he has no right whatever to look to the surplus; then the surplus should be given to the owner if he demands it within a certain period; if he does not, I would give it to a charity, but I would never allow the surplus if possible to go back to the pawnbroker, and if no better means could be devised than to let him have it, I would put a heavy penalty upon him of 20 per cent. for the time he kept it after the demand of the poor man.

759. Mr. *Young*.] Would not that lead to the evil of which you complain, namely, the pawnbroker lending a much larger sum upon the pledge?—It would induce him to lend less; he would not speculate upon the article; the pawnbroker now, if he gives a high sum, takes the chance; if he loses upon one he gains upon another, and in that way makes up his loss; I would prevent him having an inducement to give the utmost, by allowing him to have no interest in the surplus.

760. Mr. *Hutton*.] Can you suggest any machinery by which the surplus can be disposed of in the way you suggest?—I would put a penalty upon pawnbroker or auctioneer; it would be better perhaps to leave the surplus in the hands of the auctioneer, and let him pay the pawnbroker the amount of principal and interest, to hold the balance to pay it to the poor man on demand, and after a period of three months or six months expired, which would allow time for the demand, then to hand it over to public charities.

761. Mr. *Roche*.] If the articles did not produce the sum which the pawnbroker had lent, you would let him sustain the loss for his indiscretion?—Certainly.

762. *Chairman*.] Do you think it would be an advantage if the Government would consent to give up the auction duty upon forfeited pledges, and take a certain fixed sum, leviable by way of license, in lieu of the duty which they have hitherto received?—Indeed, I do; I think that the duty, though it is not paid by the poor directly, it is incidentally paid by them; though he does not pay it in the first instance, where he has to get a surplus, he gets less for the article; and I should pay out of the amount of the licenses the expenses of the inspectors; the great advantage of the inspector is, that the poor man will have some one to appeal to; I believe there is very little duty paid into the Crown, and it would be very desirable to get rid of it; I believe there is not one-tenth paid in that ought to be.

763. Do you think that you could obtain from your managers a form of book such as you think ought to be kept by every pawnbroker and auctioneer?—I can and shall give it in.

764. Have you been consulted frequently about the establishment of similar institutions to that you have established at Limerick?—I have.

765. Where do you expect such similar institutions will be established in Ireland?—It is in contemplation at Belfast to establish one; in Cork another; in Galway I believe there is one at this moment about to be established; and there is one established in Tandaragee, which, I understand from a letter I have received, is working very well; it is in combination with a loan fund; there is one in Thurles and one in Youghal about to be established.

766. Do you consider that these will be useful in competition with the ordinary pawnbrokers?—Yes; I think they will be useful in competition with them, and be the means of raising funds for charitable institutions.

767. Do you think that they will be able to realize a surplus profit?—Yes, I do; I have made a calculation, not of what the expenses of our establishment are, but what they ought to be. Some persons in the establishment were put down without salaries. I have made a calculation of what the expenses ought to be, and will deliver it in.

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[*The Witness delivered in the following Paper:*]

Expenses.	£.	s.	d.
Manager	300	–	–
Seven Clerks and Runners, at 20 *l.* per annum	140	–	–
Three Valuators, at 40 *l.* per annum	120	–	–
Rent	100	–	–
Porter	15	–	–
Watchman	25	–	–
Books and stationery	20	–	–
£.	720	–	–

Income: 1837.	£s	..	d.
Income Cash	466	–	–
Average 15 *l.* per cent. on stock of 4,461 *l.*	669	–	–
£.	1,135	–	–
Deduct Interest on 5,000 *l.* Debentures at 6 *l.* per cent.	300	–	–
£.	835	–	–
Deduct	720	–	–
Surplus first year for Hospital £.	115	–	–

In explanation of that account, I wish to say the rent of 100*l.* a year is no criterion of the rent; our Mont de Piété at Limerick cost me far exceeding what was necessary; there are ornamental pillars round it, but a fair charge would be 100*l.* a year; I find that a pawnbroker in Dublin, whose books I have looked over, gets a very good establishment for that; and in the country it need not be more; I would observe, further, that in giving six per cent., I was offered most of the money at five; but I thought it better to give six; there was very nearly the first three months we were trading upon 1,000*l.*, and, in the first six months, 2,000*l.*, so that our capital was not 5,000*l.*; I have gone through the books of a pawnbroker in Dublin, who commenced with a capital of 4,927*l.* sterling; his establishment consisted of rent, 50*l.*, clerk, 150*l.*, three apprentices, for whom no salary was allowed, but allowing 5*s.* a week, or 20*l.* a year, for their diet, was 60*l.* a year; his establishment was 260*l.*, and his books 40*l.*, which is 300*l.* a year; I instance that to show that an establishment like ours could work four times the capital; with that capital of 4,927*l.*, this man made a profit the first year, of 682*l.*; the second year, 1821, he made 1,198*l.*; the year 1822 he made 1,370*l.*; and the year 1823 he made 1,407*l.*; and progressively on until he ended business in the seventh year, increasing every year; and having to judge by that, I may rely upon a similar increase in our profit.

768. Do you not think that the capital of a joint stock company must always be managed at a much greater expense than that of a private individual, as there must be a greater multiplicity of checks to prevent the servants of a joint-stock company from making away with the property of the concern, inasmuch as there is no such active superintendence given by the head of the establishment himself in his own person?—I do; and accordingly I have estimated more than double what it was in this private establishment.

769. You have omitted to add any thing for stationery?—I include that in the 100*l.* a year; the rent in Dublin is but 50*l.* for this establishment, and I know I could get the best establishment in Limerick for 60*l.* or 70*l.* a year to carry on pawnbroking; I could get a very large store for 100*l.* a year; you can add 20*l.* a year for stationery; but this estimate of mine is double what this pawnbroker's was, as it appears by his books in the room.

770. Do you think three valuators, at 40*l.* a year, would be remunerated for the very onerous and confidential situation in which they are placed?—The men who are there do not get so much, and they act very correctly.

771. Do you think, for a course of years, you could expect that the most important officers in the institution could be expected to serve for so low a rate of salary as that?—I am informed that it is a fair payment; I can only judge from what I am informed by the pawnbroker who manages it; he says it is higher than the usual price paid; I find in Dublin that one clerk gets 150*l.* a year, but the whole business was confided to him.

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772. Mr. *Young.*] With the services of the master himself?—Yes.

773. His services are not mentioned, and they are most valuable?—Certainly; but he has the profits. Our profits, the first six months, were but 6*l.*, and the last month 93*l.*

774. Is there any thing else you wish to state to the Committee?—No.

Mr. *Robert Galbraith*, called in; and Examined.

Mr. *R. Galbraith.*

775. *Chairman.*] WHAT has been you employment?—As clerk to Mr. Eades.

776. What was the nature of his employment?—As a pawnbroker.

777. How many years were you in his employment?—Eight years.

778. Where was it?—In Johnson's-place, William-street, Dublin.

779. Have you had a general acquaintance with the pawnbroking trade?—Yes; I had the conducting of the establishment entirely.

[*A book was produced.*]

780. Was that book, that was handed in by Mr. Haynes yesterday, kept by you?—Yes; this is it.

781. Is it in your hand-writing?—Yes.

782. Is that the releasing book used in your employer's establishment?—Yes.

783. Does one column represent the sums re-paid by the borrowers, and the other the sums charged to them for interest and duplicate money?—Yes.

784. Was it your habit to charge interest for sums below 1*s.* by the direction of your employer?—It is the general usage in Dublin.

785. What is the general usage with respect to goods on which 2*s.* is advanced?—A charge was made of 2*d.*, 1*d.* interest and 1*d.* for the ticket; whereas the Act specifies that, where the sum lent shall exceed 1*s.* and not exceed 2*s.*, one halfpenny.

786. Do they consider that, on lending 2*s.* and giving a duplicate, they are entitled to charge as if the man ought to pay for the duplicate at the time?—They put down 1*d.* upon the duplicate, and charge a halfpenny interest on that.

787. They charge a halfpenny interest on the 1*d.* allowed for the duplicate?—Yes.

788. And if the goods are released at the end of 12 months, there is a charge of 6*d.* interest for the use of the duplicate?—Yes.

789. In the office in which you were employed, was the overplus ever returned to the persons whose goods have been sold at auction?—Yes, frequently; I frequently returned it.

790. Did you know of any instances in which people were put off when they came to ask for the overplus?—Yes; I have known it frequently to occur.

791. Upon what excuse was it?—Frequently the excuse was not having time, call again, and not having the sale-book, and so on.

792. Were the books kept in such a way that it would be easy to ascertain whether an overplus was due to the purchaser or not?—In some instances it was easy, and some instances it would not be easy; sometimes they were totted and amalgamated one with the other, good and bad.

793. The articles were sometimes lumped together?—Yes.

794. So that it would be difficult to ascertain whether each individual article had sold for more or less than the sum for which it was pledged?—Yes.

795. Were things often sold without their being sent to the auction-room?—Very frequently.

796. Sold in the shop?—Yes; not very general with us, but with others it was a very common practice.

797. Was it ever the case in your shop?—It has occurred.

798. By mistake or negligence?—Upon a person coming in and asking "Have you such an article to sell?" and we said, "Yes."

799. Provided the time was out?—Yes.

800. Mr. *Beamish.*] Was it ever done when the time was not expired?—No.

801. *Chairman.*] Were the goods often put up and knocked down immediately to the pawnbroker, without any *bonâ fide* bidding having occurred upon them?—I have known some instances to occur where some pawnbrokers have sent articles to the auction merely to pass them through it.

802. Mr. *Beamish.*] Merely to go through the form of an auction?—Yes.

803. And

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803. And pawnbrokers bought them in?—Yes, and disposed of them to the best advantage they could afterwards.

804. In those cases the parties who had pledged the goods had no means of knowing whether there was any surplus?—They were regularly entered, but they had no means of knowing the profit the pawnbroker realized upon them.

805. *Chairman.*] Have you known people often complain that no notice had been given them that their goods were to be sold?—I have, very frequently.

806. What was the answer made on those occasions?—The answer generally made was to refer them to the marshal of Dublin; that he had the service of the notices.

807. Have you any case to mention about a jaunting-car that was sold before the time for releasing it had expired?—I recollect a circumstance occurring at Henry-street police office; the car was pledged for 9*l.* and sold for 11*l.*, and the pawnbroker was summoned, the magistrates seeing it was so very glaring a case; and it turned out that the pawnbroker bought the car himself; it was recommended to settle the matter, and I never heard any more of it.

808. Do you know of cases in which pawnbrokers have received plate with crests and armorial bearings upon it?—Very frequently I have known it.

809. Have you any particular instance to relate?—I have known several instances in which we were obliged to give them up before the magistrates; in one instance we had a very large quantity of plate; upwards of 300*l.* was lent upon it, and it was obliged to be given up.

810. Which was taken in with a crest upon it?—Yes; 350*l.* was lent upon it, I recollect, by 10*l.* at a time; they were plates and dishes.

811. What was the extent of the capital in your employer's business?—About 5,000*l.*; he never had more than that.

812. How many clerks did he employ?—I was the principal one, and three boys (apprentices), they got nothing but their boarding and lodging.

813. Was your master often in the shop himself?—Very seldom, except on Saturday and Monday; very often he has not been there for a month together.

814. On the intervening days the business was principally left in your hands?—Solely.

815. Has he gone out of business?—Yes.

816. Are you employed as a pawnbroker's clerk at present?—No; I have been for four years in another place, in George-street, in Dublin.

[*A book was produced by the Witness.*]

817. Is that the auction-book kept by you?—Yes, it is; there is the loss and gain put, and the average.

818. I perceive here there is no number of the duplicate entered on the same line as the article sold?—That frequently occurs through carelessness; not from any particular neglect, but leaving it for the number of some other duplicate which they could not find.

819. I see here three beds sold, only one of which has the number marked to it, though they sold for three very different prices; how could you tell by a reference to this book which was the particular one which had been pledged by any individual pledger?—We should take it by chance, or take the nearest sum to it.

820. There is one bed which sold for 1*l.*, the next to that sold for 1*l.* 18*s.*, would you think that your employer would be most likely to suppose that the person who called for the overplus was entitled to receive it upon the 1*l.* bed, or upon the 1*l.* 18*s.* bed?—I should say upon the 1*l.* bed, or the one nearest the sum lent.

821. There is also no name entered here of the individual who pledged the article; was it usual to omit the name of the individual in the auction book?—I never knew the name to be entered, nor in any instance do auctioneers copy the number of the duplicate.

822. I see here a number of articles which fetched a considerable overplus, but I do not see any mark as if the overplus had been repaid to the individual; was it usual, when an overplus was obtained and paid, to mark it off in this book or not?—Not usual; but we always kept the ticket to prevent it coming back again.

823. You did not check off the fact of the overplus having been returned in this book?—No; but we kept a small memorandum to keep the stock equal of sums returned, which was in general very small.

824. Were those three beds to which I have alluded pledged in one ticket or separate ones?—They were all separate.

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825. Mr. *Beamish.*] Can you, by a reference to that book, be certain they were so?—Yes, I can.

826. *Chairman.*] I see here items of bellows, and immediately after that, two bellows, two ditto, two ditto, and three ditto?—Those are lotted in together, merely to save time and trouble.

827. Did they come from the same person?—They are all different pledges.

828. Then, if a person called for a surplus, could you ascertain whether it was due?—The sum would be so very small, we would not give ourselves the trouble of looking for it.

829. Mr. *Beamish.*] You would never return any thing upon such an article?—Upon such an article we hardly thought it worth while to keep any account.

830. *Chairman.*] And if there is an overplus, the expenses of the sale, &c. would probably cover any profit that might be made upon the article?—We charge the interest up to the day of the sale, 1*d.* for looking over the book, and the auctioneer's commission.

831. Suppose two articles, one sold for more than the sum lent, and the other less than the sum lent; how do you manage?—I have altered it, taking so much off one and putting it on to another.

832. In point of fact there is no regular system by which the profits upon each individual article shall be distinguished when they are small in amount?—None to my knowledge.

Lunæ, 28° *die Maii*, 1838.

MEMBERS PRESENT:

Mr. Emerson Tennent.	Mr. William Roche.
Mr. Hutton.	Mr. Corry.
Mr. John Young.	Mr. Redington.
Mr. Ponsonby.	Sir Montague Chapman.
Mr. Lucas.	

LORD VISCOUNT CLEMENTS, IN THE CHAIR.

Mr. *Edward Homan*, called in; and Examined.

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833. *Chairman.*] ARE you a pawnbroker?—I am a pawnbroker, at Limerick.

834. Have you been deputed by the remainder of the trade in Limerick to speak their sentiments, and to explain the nature of their business before this Committee?—Yes; and I have been in the pawnbroking trade over 30 years.

835. Are you chairman of the association of pawnbrokers in Limerick?—Yes; it is only lately that we ever had a meeting about any thing of the kind; when we saw Mr. Barrington was petitioning the House for a change, we held a few meetings to petition the honourable House against it, and requesting a hearing at the bar of the House, and against the petition.

836. Were you not originally a pawnbroker at Cork?—I was.

837. And you are acquainted with the way in which the business is transacted both in Limerick and in Cork?—In Limerick, and at the time I lived in Cork, for over six years, I was; I do not know what change may have taken place since.

838. Has your business been always conducted at one establishment at Limerick, or had you two?—I had two for nine or ten years.

839. Why did you give one up?—I found that I was not doing much business, and that one would tell better for me, especially when the Mont de Piété commenced, and before then I dropped one.

840. The one you gave up was in the neighbourhood of the Mont de Piété?—It was.

841. Do you find your business has decreased since the time the Mont de Piété opened, or nearly so?—No; one office I dropped entirely; the one I carry on now; I do more business than ever I have done since I have been at Limerick.

842. To what do you attribute that?—There are a good many pawnbrokers got out of business in Limerick since the Mont de Piété commenced, and even before that.

843. You

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843. You have succeeded to the business which they had?—In some respects.

844. How many have left off business since the Mont de Piété commenced; how many were there in business before the Mont de Piété commenced, and how many since?—Within these few years there were seven or eight, from that over ten, got out of the business; a good many failed in business in Limerick.

845. How many are there in the trade at present?—Seventeen or eighteen, I believe.

846. Mr. *Hutton.*] Were there 27 in it before the Mont de Piété commenced?—Not exactly; when they heard it was going to be commenced, sooner than remain at Limerick, some left for other towns.

847. A short time before the Mont de Piété commenced there were 27 pawnbrokers in Limerick?—There were, and over it.

848. *Chairman.*] Were the pawnbrokers who left Limerick in the larger class of business, or were they in a small way of business?—In the smaller way of business.

849. Has there been any reduction in the rate of charge made by pawnbrokers since the Mont de Piété opened?—I hear that some of them charge at the rate of the Mont de Piété, except the charge for duplicates; I have not lowered my interest from the rate the Act of Parliament allows; I never charged, for over 30 years I am in business, any thing under a shilling, nor more than a halfpenny a month for 2*s.*, a penny for 4*s.* and so on, according as the law now stands; nor does any one, to the best of my belief and opinion, in Limerick, charge more than the law allows.

850. Do you consider the law allows the pawnbroker to charge for the duplicate, as if the price of it was a debt due by the pledger at the time that he received the loan, or do you consider that the charge is only to be made when he comes to redeem the article?—We never charge until the article is redeemed.

851. Are you aware that the pawnbrokers at Cork and in Dublin consider it legal to charge for a loan of 2*s.*, as if 2*s.* 1*d.* had been lent to the pawner, including thereby the charge of 1*d.* for the duplicate, as if that was cash lent by the pawnbroker?—I am sure it is illegal and wrong to do so.

852. Are you aware the pawnbrokers in Cork consider otherwise?—I am not; when I was there they did not charge it.

853. When you were in business in Cork they did not charge it?—They did not, to my knowledge.

854. Mr. *Hutton.*] Are you aware that, charging for that sum as if it was so much money paid, greatly increases the charge of interest; for instance, supposing that you lent 2*s.* on an article, and by charging for the ticket, you make that 2*s.* 1*d.*, that you greatly increase the charge of interest on that sum?—Yes; it would be as much increased as if the sum lent had been originally 4*s.*; the interest on any thing from 2*s.* to 4*s.* by the Act now is 1*d.*

855. Do you believe the Act is so worded as to admit of that charge?—I think the Act is plain it should not be charged.

856. You believe it has been charged frequently by the pawnbrokers in Dublin and Cork?—From what I hear about it; but I do not know it of my own knowledge.

857. You believe that is so?—I believe, from what I hear latterly, that it is so.

858. *Chairman.*] To what do you attribute your continuing to do as much business as ever, notwithstanding the establishment of the Mont de Piété?—To the general satisfaction I give the public, acting fairly and honestly in the business.

859. Do you give them a larger sum on the pledge, in proportion to its value, than they would give at the Monte de Piété?—Much larger.

860. And do you conceive that that is a convenience to the poor man which counterbalances the increased charge which you make for interest?—Yes, inasmuch as the poor person wanting to raise money need not bring as many articles or as much value to me or any pawnbroker in Limerick, as they need carry to the Mont de Piété.

861. Do you believe that the effect of that is to induce them to leave their property with you a longer time, or, perhaps, to abandon it altogether, in a greater number of instances, than they are inclined to do in the Mont de Piété?—I do; when we have auctions, and when we sell, as we do, a good deal by private sale, for want of auctioneers being appointed, as the law directs, they often buy them in by auction and by private sale from us for less than we lend on them.

862. But you think they release, at the Mont de Piété more rapidly than they

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do with you?—They do, than they do with me, for they are in a very poor part of the town. I am in rather a wealthy, respectable part of the city.

863. Do you or do you not think, that the small amount of money that is lent, in proportion to the value of the article, at the Mont de Piété, induces the people, from that consideration only, to redeem their goods more quickly than they do with you who advance a larger sum?—I think not; the reason, I think they get so much to do at the Mont de Piété, in preference to any of the other offices, is, that they do not charge for duplicates, and certainly also, that Mr. Barrington's name is a great deal in its favour, for he is a man of an excellent character, in every way, in the city and county of Limerick.

864. Do you consider it would be possible for pawnbrokers to continue in business if they did not charge for the duplicates?—It was our opinion in Limerick before I came here, and among the pawnbrokers, that they could not carry on the business or support themselves if they did not charge for duplicates; and from my own profits, which I can inform the Committee of, I do not think we could do business without it; having very often a great deal of our money idle the six winter months, one-third at least of over 3,400*l.* capital, I generally have over 1,000*l.* idle in October, November, December, January, February and March, six months.

865. To what circumstance do you attribute the fact of your having more money idle during the winter months than during the summer months?—Corn and pork and potatoes, and every thing of that kind, coming in in the latter end of September and October, the people release twice as much as they do in the summer; in the summer there is more pledging and little releasing; in the winter there is great releasing and little pledging.

866. Do you think that that proves that the object of pawning in Limerick is principally for the purposes of buying food, and not for the purpose of dissipating the money so obtained?—I do not think any person in the trade in Limerick takes any thing from any one whom they see in any way inclined to dissipation, or wishing or knowing it would be disposed of for dissipation; it is for food they pawn; for buying different articles, and for paying their rents weekly, which they frequently do.

867. Mr. *Hutton.*] Do you mean to say that pawning in general in Limerick takes place for the purpose of spending the money in obtaining actual necessaries, and not for the purpose of drinking?—Certainly.

868. *Chairman.*] What is the number of duplicates you give out in the course of the year?—About 600 a week.

869. What is your profit upon duplicates alone in the course of a year?—In any goods that are redeemed I am paid for the duplicates; but for the unredeemed goods that we sell by auction and by private sale, I do not think we ever receive the amount, either in the shape of interest or profit, from the duplicates.

870. How many pledges are there released from you in the course of the year?—I do not know exactly.

871. Can you tell that by reference to your books?—Yes, I think about one-tenth; from that to one-twelfth in numbers, but not in value.

872. Without reference to the proportions, can you inform the Committee the numbers?—I think there are about 2,600 out of 31,200 which are left.

873. Can you state, by reference to your books, the precise number that were redeemed from you in the course of the last year?—I could, but it would take time.

874. Hand in such a statement?—It is as follows.

[*The Witness delivered in the same.*]

875. I see, by the return which was sent from the marshal of Dublin, that there were 18,705 tickets given out by you last year, and only a sum of 1,337*l.* lent upon them; is that a correct return?—I do not think it is; it may be that from one office that was given, and that the office in English Town.

876. This return is for the year ending December 1837; could that be so?—I was always asked by the deputy town clerk for 1*l.* 10*s.* every year for returns; and I often asked him, "Shall I send them?" and he said, it was unnecessary; that it was only a matter of form. But latterly, the present gentleman in the office, Mr. Butler, wrote for the returns. I was not there when the returns were given

given, and one of the clerks gave them; and I do not know whether he gave them correctly or otherwise.

877. Had you the office in English Town in 1837?—I stopped taking in in English Town the 20th March 1837. The last article taken in was the 20th March 1837.

878. Then you did not certify the return yourself, and do not believe it to be correct?—I did not, and I do not think it is correct; I have the books here, and can make out a correct one.

879. Did all the Limerick pawnbrokers pay the same sum, 1*l.* 10*s.*?—They did, to my knowledge, during all my time in Limerick, now over 24 years.

880. Were any of them precise or particular in the correctness of the returns so sent up?—I believe they never sent up any at all until within these two years, and they were never asked to send them up, according to my recollection. The gentleman before the one in office now did not ask for any; and it is only within this couple of years that I heard they were inquired for by Mr. Butler.

881. Mr. *Hutton.*] Who was the gentleman to whom you allude before Mr. Butler?—Mr. Stanley.

882. *Chairman.*] Have the goodness to look at that return for the city of Limerick, and state if, from your knowledge of the business of the parties mentioned there, you think any reliance whatever can be placed upon the correctness of the returns [*handing to the Witness the Returns sent to the House of Commons by the Marshal of the city of Dublin*]?—With regard to some of them, they may be correct; but with respect to the greater number, certainly not.

883. Mr. *W. Roche.*] For what year are those returns?—One thousand eight hundred and thirty-seven.

884. What caused the returns to be made then, whereas heretofore you were not in the habit of making returns?—We were always asked for the money for sending them, but we were told by the deputy town clerk it was unnecessary.

885. Why are the returns made in this instance?—This is the first time they were desired to be sent, to my knowledge.

886. *Chairman.*] Did you ever ask the late deputy town clerk whether you ought to send returns or not?—I told him frequently that he ought not to be charging us 1*l.* 10*s.* without sending up the returns; and that it was no trouble for us to do so, and that it was enough for him to charge as the law directed, namely, 1*s.* a month for sending up the returns; and he said that it was no matter, that we should pay 30*s.*

887. What induced you to pay the 30*s.* whereas the law only compelled you to pay 12*s.*?—Seeing that they all paid, and he telling me that they all paid, and not thinking it worth my while to dispute or wrangle about it.

888. Were you afraid of his taking some advantage of you if you resisted the demand?—He might have done so, for the Act is so very severe against pawnbrokers, in some respects.

889. When you opened your second shop, did you enter into fresh securities?—No.

890. Were you called upon to pay a second fee to the marshal?—I was, by this same Pat Toovey, the deputy town clerk, and I would not pay it.

891. Is Toovey the agent of the Dublin marshal?—He was; he brought us the receipts of the Dublin marshal; it did not say how much money was received in the receipts, but only "Received the fees."

892. Mr. *Hutton.*] Do you mean that he never specified what amount you paid him?—No.

893. Mr. *W. Roche.*] He is now dead, is he not?—Yes, a few years back; there is another deputy appointed now, and we have also paid him 30*s.*

894. Mr. *Hutton.*] You entered into security; are the persons still living who were security for you?—There is one living and two dead; it is so long since I took out a license that I did not know until I saw the printed book here who the securities were, and I find, on looking over it, that one of them only is alive, and the other two are dead.

895. Did the city marshal, or his agent in Limerick, ever call on you to inquire whether your securities were living or dead, or whether they were solvent or insolvent?—Never; at one of our meetings, after Mr. Barrington's petition, Mr. Edward Costello, the deputy town clerk, told us that he had a letter from Mr. Butler, requesting that we would enter into securities, and that any person coming new into the business would conform to the law, and take out licenses.

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896. How long ago is that?—I believe about three months ago.

897. That was the first application you had on the subject?—Yes, about any thing of that kind. At the time I told Mr. Costello to let me know who my securities were, if any of them were dead, that I had forgotten their names, but I would do what was necessary.

898. *Chairman.* He could not give them to you?—He said, if he could he would let me know, that he would look over the book, that he did not know or recollect them; he has not since let me know; nor did I know who they were until I looked over the printed book here.

899. Have the goodness to produce to the Committee the book, by which there appears the sums you charged for interest on releasing the articles pledged with you?—Yes.

[*The Witness hands in his Book.*]

900. What space of time does this book represent your transactions?—From November 1835 to May 1837, of my shop in English Town, and from May the 8th 1837 to September 1837, of my shop in William-street, where I at present carry on my business. The first column represents the number of duplicates, the second column the money lent, and the last the interest and price of duplicates received.

901. Then there is no column describing the nature of the article redeemed?—No; but the number of the duplicate, when sought for in the day-book, will state what the article is.

902. I see here, money lent, 2*s.*, and 1½*d.* charged for interest; for how long is that?—A month.

903. Here is an item of 10*s.* for which 3½*d.* is charged for a month?—That is 2½*d.* and 1*d.* the ticket.

904. Is that your usual charge?—Yes.

905. Do you conceive more than that is contrary to law?—No doubt of it, I am sure it is.

906. Mr. *Hutton.*] Do you think it a fair principle to increase the price of the ticket in proportion to the sum lent; is there not the same trouble in making out a ticket for the article of the value of 20*s.* as for an article of the value of 1*s.*?—There is.

907. Why should the ticket be charged at a higher rate for the larger sum than a smaller sum?—I do not think it ought to be.

908. *Chairman.*] Do you at present charge more?—I do; I charge 2*d.* for the duplicate of any thing over 10*s.*, and 4*d.* for the duplicate of any sum lent over 40*s.*

909. Mr. *Roche.*] Is that conformable to the law?—Yes.

910. Are those your original books of entries?—Yes.

911. *Chairman.*] You think it is an unnecessary charge?—I think it is.

912. Do you think it possible any pawnbroker could make a profit on sums from 1*s.* to 1*s.* 11*d.* if he only got one farthing profit; do you think that would repay him the trouble he incurs in taking in the article?—I do not think it would.

913. Mr. *Hutton.*] You mentioned, in your former evidence, that you believed the pawnbrokers in Limerick were very careful not to lend money to persons except for the relief of their necessities?—Certainly.

914. Do you happen to know any pawnbroker in Limerick who is engaged in the sale of spirits?—Not at present.

915. Has there been?—There has been.

916. How many?—One that I recollect, to my knowledge, a man of the name of Edward Brown.

917. Only one?—One that I recollect, or know.

918. Is there any that you know of engaged in a whiskey distillery?—There is one whom I know, who is clerk to Steel and Brown; a Mr. Stewart, a Scotch gentleman.

919. You know one who is engaged in a distillery?—Yes.

920. And one who was engaged in the sale of spirits?—Yes, but is not now.

921. Do you know of any other?—No.

922. Mr. *Young.*] What means can a pawnbroker have of ascertaining what the pawner intended to do with the money?—No more than if we see any symptoms of dissipation, or, from knowing them, we think that is the object, we do not lend the money.

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923. What you mean is this: if a person comes in to pawn an article, who is drunk, you do not lend to that person?—Certainly not.

924. You cannot tell what becomes of the money afterwards?—No; but to the best of my belief they do not pawn much, if any, for the purpose of drinking, in Limerick.

925. *Chairman.*] How long do you keep goods that are pawned with you?—I never sold any articles since I became a pawnbroker, of soft goods, that were not in over a year and a half.

926. And if articles are in pledge with you for 12 months, do you find that they are frequently redeemed by the owners after that time?—Frequently, it will appear by the book, at 16, 17, 18, 19 and 20 months.

927. Do you charge interest for the whole of that time?—Some persons when they come I meet them; perhaps they come with other articles; I tell them to pay me 12 months' interest, and I will give them the articles; I should be glad to give others on receiving six month's interest; I often put an advertisement in the Limerick papers that I would give the goods for auction to poor distressed widows for the money lent, on their bringing a ticket from a clergyman of any persuasion to that effect, for a month before my auction.

928. Do you think it would be a hardship to limit the interest recoverable by the pawnbrokers to the term, whatever it may be, which they announce to the pawner as being the time over which they will not keep the goods; that is to say, if the pawnbroker announces on his ticket that he will sell the goods at the end of the 12 months or six months, as the case may be, that he should be limited in his charge of interest to that number of months, even although the goods should be longer in his stores?—In a little memorandum I took for amendment in the law, I say that pawnbrokers should not charge for more than 15 months, if they wish to keep them any longer.

929. Do you think it would be a hardship, if they were limited so that they should not charge interest for more than 12 months, and allowed to keep the goods longer?—I think 15 would be a better time; I think it is a hardship to sell any thing in less than 12 months; but I do not think it would be a hardship to limit the receipt of interest to 12 months.

930. How long do you keep hard goods and plate?—I never sold any article of plate that was not in over two years.

931. Have you found the owners often redeem between the space of 12 and 24 months after they have been in pawn?—I have, and after three or four years.

932. What number of months' interest do you charge in those cases?—I charge, if they do not say against it, the full amount, and if they say the article is not worth it, and ask for it for less, I give it them on as reasonable terms as I think I can get for them, sooner than dispose of them in any other way.

933. You often make a deduction of the full amount of interest which is due to you by the law?—Frequently.

934. Mr. *Hutton.*] That is, in other words, you get as much as you can for them?—We lend more generally on the goods than we can get for them; (there are so many in the business that we are obliged,) the average we make, is that we lend as much as they are worth, taking back what we are to pay to the auctioneer for what he sells, which is about 1*s.* 6*d.* to 1*s.* 8*d.* in the pound.

935. Mr. *William Roche.*] Have you any standing proportion that you lend on articles; a third or fourth, or what?—I have, and so have other persons in the business; they say so to me.

936. What is the average proportion?—The average proportion that we lend is as much on them as we think we can get on them after 12 months.

937. What is that proportion of the supposed value?—The entire value, all to about 1*s.* 6*d.* or 1*s.* 8*d.* in the pound; that is what we think we gan get for them at the time of the sale.

938. Mr. *Young.*] You lend as much upon them as you think they would fetch at the auction?—Yes, with the exception of 1*s.* 6*d.* in the pound advanced.

939. *Chairman.*] Do you consider the charges made in the books produced by Mr. Haynes as the interest books of a Dublin pawnbroker, are a great imposition, and a heavy charge on the poorest class of borrowers?—I never heard of such an unreasonable charge until the book was produced; I think it is unjust and unreasonable.

940. Do you find that the persons who have reduced their rate of interest to

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that which is taken at the Mont de Piété have got much business by that?—They certainly have.

941. Have they been obliged to make their advances smaller, in proportion to the value of the goods which they take in, than you do?—I think not; the Mont de Piété gets a great deal more to do on account of not charging for the duplicates.

942. Mr. *Hutton.*] I wish to ask, do you know a person of the name of Joyst, a pawnbroker, in Limerick?—I do.

943. Is he not engaged in the sale of spirits?—He is in the grocery business, and I believe he does sell spirits; I do not know it.

944. Is there any person of the name of Slattery, acting as a pawnbroker at Limerick?—There is.

945. How many years has he been in business?—About two years, since the death of his mother-in-law, Mrs. Lynch; he is carrying on business without a license, I believe.

946. *Chairman.*] Did the marshal get the 30*s.* which you say you and the other pawnbrokers at Limerick pay annually, or did he divide that with the town clerk, and if so, in what proportion?—The town clerk told me that he received himself 10*s.*, and that he forwarded 1*l.* to the marshal.

947. When goods are not redeemed after a certain space of time, how do you sell them?—Two or three months before the time I send out bills of appraisement to any of the persons who can be found, and any that cannot, if over 4*s.* is lent, we have the bills pasted up in the streets where they say they live.

948. The bills of what?—Of appraisement.

949. What is the bill of appraisement?—It says, that if the goods remain any longer unredeemed, after 14 days' notice, they will be sold.

950. Are they invariably brought to public auction after that notice at the time specified?—They are.

951. Does the notice specify the particular day on which the auction will take place?—No.

952. Do you mean to say that no single article which is included in that notice is ever sold by you by private contract without sending it to auction?—We first send them to auction, and we are some days obliged to come home from the auction-room not being able to sell 2*l.* worth of goods, and we then sell them to the best advantage we can in the offices, after keeping an account of the number, and what they sell for.

953. Have the goodness to show me a book in which that account is so kept?—This is one; [*producing the same*] one end of this book contains an account of the goods sold by auction, and at the other end, it contains an account of those sold by private sale, except some articles that we might forget, or that the labels might fall off, and we should not know what they were.

954. I see this book begins in May 1833, and concludes in June 1834, and it contains about 64 pages; is that the whole of your transaction for upwards of one year?—Yes.

955. Is it possible that all the articles which were not released should be entered in so small a space as that?—Yes; that and on the other part of what is sold by private sale; there are a great number sold by private sale on the other part.

956. Were these articles sold by private sale brought to public auction or not?—The most part of them were carried to the auction-room, tried to be sold, and as we could not sell them, we afterwards sold them by private sale; our sales are very bad in Limerick; and we had not an auctioneer, as appointed by law, in Limerick, to sell our goods.

957. Mr. *Hutton.*] Do persons frequently come, after their goods have been sold, to claim any surplus?—Sometimes, but not often; they often come before the time of sale; and if they think them of value, they sell them themselves.

958. Sell them to whom?—To anybody; but we never buy them.

959. *Chairman.*] I see there are several articles in this book handed in by you, to which a name is attached; were not those articles sold by private contract, though they are inserted in that part of the book which you say represents the sales by auction?—No, not one of them; every article in that part of the book was sold by auction.

960. I do not see in this book any articles on which up to the amount of 1*l.* has been lent; what becomes of such articles?—It is the small valued articles that they leave; they seldom leave any articles that are large and of value.

961. Could

961. Could not that fact be equally well accounted for by your not bringing those large and valuable articles to auction, and selling them by private sale in your shop?—We sell them indiscriminately, high or low, according as they are.

962. In point of fact, there is not an entry in this book of any articles upon which as much as 1*l.* has been lent?—There may or may not, for what I know.

963. With the exception of the entry of one silver watch, 1*l.* 10*s.* 2*d.*, which seems to have been inserted subsequently to the other entries, is there any otner which amounts to 1*l.* or even near that sum?—I believe there is not.

964. Mr. *Hutton.*] Have the goodness to state whether, in point of fact, things are or are not brought to auction exactly as you please?—They are as the pawnbrokers please.

965. If you please to do so, you may sell any goods of which the time has elapsed without bringing them to public auction?—We do.

966. Have you ever sold plate by public auction?—Very little.

967. Have you ever done so?—I have, often.

968. How is it there is not a single entry on your book of such a transaction, with the exception of one silver watch?—In that book before you, nor in this which I hold in my hand, there is not; but in former years I have sold a great deal of plate by auction.

969. Have you any book representing such sales?—I have not with me; I have plate at present, and indeed all the plate deposited with me within these three, four or five years, I have yet unsold.

970. And the interest has accumulated to such a degree that the sum lent upon it and the interest added amounts to a much larger sum than the intrinsic value of the articles?—In general.

971. Then, in point of fact, those articles, from having been kept so long, may be considered at present as your property?—I have kept a great deal of them by the consent and wish of the owners, they saying they would redeem them.

972. But they saying they would redeem them, provided you made your accustomed deduction of the rate of interest?—I never refused any of them making some deduction when requested so to do.

973. If you pleased to charge the full amount of interest, you would be enabled to charge a great deal more than the articles were worth?—Some of them.

974. Then, surely, these articles are completely in your power?—I have always tried to get as much interest from the owners when they required me to keep them by me as I could; but I have forgiven them a great deal, sooner than sell them.

975. Mr. *William Roche.*] Have you ever had, at the termination of the year, during your establishment, any surplus that you would return if you knew the parties?—I often do return; there are not many come, but any one that ever did, I gave them every satisfaction in my power, to return them every thing of surplus, produced by auction or otherwise.

976. Is the impression on your mind, although you were not able accurately to describe it, that you have been able seldom to lend 1*l.* upon any article, but that it was generally under it?—A great number under; but a great many 5*l.*, 10*l.*, 15*l.*, 20*l.*, 40*l.* and 50*l.*; but not so much within these few years as we used before; very little in comparison.

977. To what do you ascribe that?—I ascribe it to the persons who were obliged to pawn them, or to sell them.

978. *Chairman.*] How many instances could you quote in the course of a year in which you have given back any surplus to the pawner?—Immediately after a fortnight's auction, such a one as I had last month, there were about from 10 to 15 or 20 came, and I gave it to them, if there was any thing coming to them.

979. How many instances can you state in which you have done so in the course of one year?—Not, I suppose, 50 in a year ever come.

980. Have 20 ever come?—They have.

981. Have 20 received the surplus?—Over 40 or 50 a year; many come to ask for a surplus, but of these there is not half that any thing is coming to.

982. Have half-a-dozen in the course of a year ever obtained any surplus from you?—Yes, and more than two dozen, on an average.

983. About two dozen persons have received the surplus out of 6,000 persons whose goods have been left in your office?—About that.

984. Do you mean to say that there have not been more than two dozen articles

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sold in which some overplus has not been obtained by you?—There has been some overplus received, but in very few instances.

985. Has not the overplus been received more frequently in the larger class of articles than in that very small class of pledges which you have sent to public auction?—Yes.

986. In those instances it has been impossible to ascertain how much of that overplus is fairly due to you for the trouble of retailing the article in your shop, and how much is fairly due to the pawner?—We keep an account of what is sold by private sale, and we keep an account of what is sold by auction, and what is lent, and what it brings; we keep an account of things sold by private sale in one way, and by auction in the other.

987. Where is that book?—It is the one I showed before.

988. That book does not contain nearly 6,000 cases, and, therefore, you cannot say that contains the whole transactions of one year?—I believe that both sides of this book would contain about that much, the auction part and the private sale part taken together.

989. This book would appear to contain, from casting it up, the disposal of about 3,072 articles only; how do you account for the disposal of the remaining 3,000?—I do not think I have done as much in business during that time of the year 1833, or nearly as much, as I do now.

990. This book, containing the entry of private sales, contains only articles which are valued under 5*s.*?—I believe so.

991. But it does not contain the sum for which the goods were pledged?—No.

992. How, therefore, could you, by possibility, know what sum to give back as overplus if the person to whom the goods had formerly belonged were to demand them?—They bring the duplicate; we have only to refer from the number of the duplicate to the number of the private sale or auction-book, and it tells at once what it sold for.

993. Might you not as well admit at once that this book does not contain the whole of your transactions, when there is no such thing in the sale-book as an article which sells for as much as a pound at the public auctions, and very few in the private sale account which sells for 5*s.*?—We may sell some things which are not at all in that book.

994. Then, in fact, this book is no check whatever, in order to enable the pledger, if he distrust you, to prove what has become of the article which was once his property?—Not for more than is entered in that book.

995. And you have kept no other book for the year 1834?—Yes, I did, the day-book.

996. But no other book of sales?—In the column next to the number of sales in the day-book, we see what it sells for in the private sale, and in a great many numbers in this book I can exhibit that to the Committee.

997. There is no distinct account by which it can be proved at once what has become of the article, after the time of releasing it has expired?—There is; here is a book which is the day-book, and by reference to that book it mentions at the number, sold for so much, which is not mentioned in the auction-book or the private sale book.

998. That entry seems to appear in a few cases, and for very unimportant sums; will you show any important sums there?—I do not know that I can; I did not keep the books; my clerks kept the books, and I cannot follow out the numbers easily; from the way the Act of Parliament is at present, I do not think that any one in the pawnbroking business could carry on the business in a better or fairer way than I have done.

999. Is there any check upon you for having entered the price in this book at which the article really did sell?—No check on me in the world for mentioning any thing sold by private sale, if I were bad enough to do what is wrong.

1000. Would any person coming to look after his pawn sold ever think of looking at the sale-book for a sale by auction?—Always; he generally asks for it, or for the auction-book, and we show it.

1001. Is there any law compelling you to show your day-book when a person comes to look for an article sold by auction?—There is.

1002. Mr. *Hutton.*] You have mentioned that in some cases you have been called upon for a surplus?—Yes.

1003. When you have been called upon for the surplus, and the article is sold by private sale, what charge do you make to a person for commission upon that sale;

sale; for instance, suppose I come and demand a surplus, and my pledge had been sold by you by private sale, do you not think yourself authorized to make to me the same charge as if it was sold by auction?—I never charge them any thing, either upon a sale by auction or by private sale; but I show them what it sold for, and charge them only the interest; the duplicate which they bring with them tells the time it has been in.

1004. Do you not charge any thing for the sale of the article?—Never.

1005. There is permission to do so under the Act, is there not?—There is.

1006. But you never have made that charge?—No; and the reason I did not is, that we never had an auctioneer, according to law, for the purpose of selling goods in Limerick, during my recollection.

1007. Did you not hear Mr. Haynes here assert that the collector of Limerick has stated that there never was any return made for auction duty or articles sold by pawnbrokers?—We pay the auctioneer, and we never inquire further into it; the collector has never inquired of me whether I paid the auctioneer or not; it is the auctioneer's duty to pay the excise duty, and none of the excise people called on me to know whether I paid or not.

1008. Upon the goods which were sold by auction the auctioneer would have a duty to pay, would he not?—He would; but I do not know whether he pays it or not.

1009. You believe that goods have been sold by auctioneers in Limerick to a considerable amount for pawnbrokers?—Yes, and not the duty returned for it, to the best of my belief.

1010. You believe the auctioneers have not returned those sales to the excise?—I believe the greater part is not returned to the excise; but some is returned.

1011. *Chairman.*] Is not this the real state of the case, that when the time for redeeming the goods has once expired, both the pawnbroker and the public consider that they are the pawnbroker's property?—O, no; the people know the law as well as the pawnbroker, I think, in general, and they know what to pay; they are so used to the business, that they know the charge as well as we do.

1012. Do you not consider when the time for releasing the goods is expired, that they are the pawnbroker's property; and is not that generally so considered?—Why, really they are the property of the pawnbroker, for none of them hardly ever come for an overplus, and there is very little or none ever coming to them, because we give them more than we generally sell them for.

1013. Mr. *Redington.*] Does the absence of surplus proceed from the goods being detained until the charge amounts to the full value, or from their being sold under the value?—We sell them for less than we lend on them, frequently.

1014. *Chairman.*] Are the sales conducted at night, or during the day-time?—During the day-time; we never had a sale at night.

1015. You have stated your capital employed in the trade was about 3,000*l.*; what profit have you upon that?—The profit, as cast up weekly by the interest-book, is, at the most, from 500*l.* to 600*l.* a year for duplicates and interest, and from that is to be deducted all expenses.

1016. The expenses of house-rent, taxes and servants?—Yes.

1017. How much do they come to?—About 150*l.* a year.

1018. That leaves you a profit of how much?—Why, I suppose from about 400*l.* to 450*l.*

1019. About 15 per cent. on your capital?—Yes, about that, on account of not being able to sink a good deal of it for the winter half years.

1020. What do you think should be the amendments of the law in this respect?—I have taken down, with a few more pawnbrokers, the heads of what we think would be a great improvement upon the law relative to pawnbrokers.

1021. Will you state what it is?—I will; and I beg to add, it contains the opinions of others as well as myself; it is as follows:—"The hours of business to be prolonged from nine o'clock in the morning to five o'clock in the winter half-year, and from nine o'clock in the morning to seven in the evening during the summer half-year. Pawnbrokers should not be allowed to sell any article less than 12 months, and not to be allowed to charge more than 15 months, although they might remain in his possession a much longer time. Sales ought to be advertized and posted on the pawnbroker's window one month previous to sale. Pawnbrokers to be at liberty to employ any auctioneer they please, provided they are licensed, and qualified by giving sufficient security, agreeable to the present existing laws relative to the pawnbroking trade. Pawnbrokers should all pay an annual

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license, and give sufficient security, and be disqualified for any improper conduct on the third offence, with right to appeal to the sessions or assizes. Duplicates to be at least four inches square. Penalties against pawnbrokers not to be less than 40 *s.* or more than 10 *l.*, one-half to informer, the other to some charitable institution. Pawnbrokers to return overplus to owners, if any, if demanded within one year after the time of sale, in case the money lent be 5*s.* or over. Duplicates not to exceed the price or charge of 1 *d.*, no matter what amount may be lent. The present interest not to be lowered on account of the great trouble and expense attendant on the receiving in pawn and re-delivering pledges; the goods pawned, in general, do not average the amount of 2 *s.* each. Pawnbrokers to be allowed to take goods in pawn, by way of exchange, on Saturday night until nine o'clock. Pawnbrokers to be allowed to lend sums above 10 *l.* to one person at one time at a lower rate of interest, such as the honourable Committee may think fit. All pawns on which a sum of less than 5*s.* shall be lent, and remain unredeemed for 12 months, to become the sole property of the pawnbroker, and not to be liable to be brought to any account by the original owner."

1022. Mr. *William Roche.*] You stated your annual profits to be about 600*l.*?—About 450*l.*, after payment of all expenses.

1023. It appears you dispose of about 26,000 tickets in the year; that would be 108*l.* 6*s.* 8*d.* at 1*d.*, and add to that 2*d.* and 4*d.*, it would make a sum approaching to about 150*l.* a year; can you make only of your capital the remain- 300*l.* a year?—Not more, to the best of my belief and opinion.

1024. You include the price of the pawn-tickets in the 600*l.*?—Yes.

1025. *Chairman.*] You state, in this recommendation of yours, that you think "the interest ought not to be lowered, on account of the great trouble and expense of the attendance in taking in goods in pawn, re-delivering them to the owner;" but the charge which you make of 1*d.* per duplicate, compensates you for that trouble?—We are perfectly satisfied with the rate of interest, taking it as it is, but if there is an annual license, which we are satisfied with, we do not think we could pay that if the interest was made in any way lower than it is.

1026. Supposing you receive 150*l.* per annum for your duplicate money, and expend 150*l.* in the labour of the office, do you not think the rate of interest might safely be lowered and that the trouble and expense which you allude to need not be taken into account?—There are a great many that do not take in half as much as I do, and very few do more in the business, except the Mont de Piété, than I do.

1027. Those who do take in as many as you do receive as much money as you do for duplicates?—Yes; if the Committee thought it better to lower the interest to the scale of the Mont de Piété at present, and not mind the licenses, we should have no objection.

1028. What amount of license do you think ought to be charged?—Why, leaving every thing as the law stands, as to the rate of duplicates and interest, except that of having no duplicates at more than 1*d.*, I think, from 25*l.* to 30*l.* in Limerick, and 50*l.* in Cork, would be as much as persons could afford to pay.

1029. Mr. *Hutton.*] Why would you make it more in Cork than Limerick?—Cork is more than twice the size of Limerick.

1030. *Chairman.*] You think, if no charge is made for licenses, that the interest may fairly be reduced by law?—Yes to the rate of 20 per cent. in place of 25.

1031. Mr. *William Roche.*] Allow me to ask you whether you think the principle of demanding a license from pawnbrokers would be judicious or just, or not?—I think it would be more judicious and just, and better, than to lower the interest, and a greater check over the pawnbroker to act properly and correctly, as he ought.

1032. Mr. *Hutton.*] There are two persons retained in the list of pawnbrokers in Limerick, who, it is said, have died some time ago; one is William Joynt, the other Timothy Brunton; is that the fact?—William Joynt died four or five years ago, I believe, and Timothy Brunton died three or four years ago.

1033. Mr. *William Roche.*] Is there not a widow Joynt, a pawnbroker, at Limerick?—Yes.

1034. Is she carrying on the business?—Yes.

1035. Both the widows carry on the business?—Yes, both widows carry on the business in the same name.

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1036. And without any fresh license?—Yes, I believe so, as it appears from the printed account.

1037. Mr. *Hutton.*] Do you see any objection to having the interest chargeable inserted on the duplicate, and the penalty and circumstances under which the sale will be made inserted on it, as information to the person pawning the goods?—Not the least; any information can be given ought to be given to the public.

1038. Do not you think that that would be a good means of informing the persons pawning their goods as to the circumstances under which they would be sold, and the sums they would have to pay?—It mentions, at the bottom of all duplicates, that the property is to be redeemed in 12 months, or sold.

1039. There is no notice on the duplicate of the charge to be made?—No, there is not; but it would be very troublesome to do that; there are in some offices, in large characters, the rates of interest, from 1*s.* to 10*l.*, and in a conspicuous place, as the law directs at present.

1040. If it was marked at the back of the duplicate, a person when he goes home could consult with his friends about it?—Yes.

1041. In your shop, a person coming in to pawn cannot stop and look up and examine this writing?—It is seldom or ever they look at it.

1042. It would be much more generally known if it was marked on the back of the duplicate?—Yes.

Mr. *Hugh M'Call*, called in; and Examined.

Mr. *Hugh M'Call.*

1043. *Chairman.*] ARE you a pawnbroker?—Yes.

1044. Where do you reside?—Lisburn.

1045. Are you well acquainted with the trade in the north of Ireland?—I am.

1046. How long have you been in the trade yourself?—Since the commencement of 1828; but I have known the business since 1817, and all its workings.

1047. Were you always engaged in business at Lisburn, or have you been in other towns?—In 1817, I was occasionally with my uncle, in Belfast, who was in the trade; I was not engaged myself until 1828.

1048. Are you desirous of seeing the trade put under a better system of regulation than it at present is?—I am.

1049. Do you feel that there is a stigma on the trade at present, which is unfair to persons who wish to comply with the provisions of the law at present?—There is a great stigma attached to it.

1050. And you would wish to see the trade put on such a footing as would remove the imputations which are at present placed upon it?—Precisely so.

1051. What do you think are the evils arising from the present state of the law?—The primary evil is the way in which licenses are granted, of what are called licenses.

1052. Do you think it would be better if a more efficient system of licensing was introduced?—Yes, I am certain of it.

1053. Do you think improper persons get into the business at present?—I think many get into it that otherwise would not have got into it, if an efficient system of granting licenses had been pursued hitherto.

1054. Do you consider that it is at present conducted by persons who intend to make a profit by the sale of clothes, which are left a certain length of time in their possession, and as second-hand salesmen, rather than their profit as *bonâ fide* pawnbrokers?—There are persons in the trade who sell old clothes, as well as being in the pawnbroking business.

1055. And who look more to the profit derivable from that branch of the business, than from that which they derive from pawnbroking?—I am not aware of that.

1056. A great deal of their capital is sunk in unredeemed goods which they retail by sale?—A great deal.

1057. May not that occasion great risk of the goods, when sold promiscuously, being sold before the time for redemption has elapsed?—I would not suppose that it would; in the case of being sold too soon, there could have been no regular arrangement of sale under such circumstances.

1058. Do you consider the irregularity creates some distrust and inconvenience to the poor?—I would suppose so.

1059. Do you think it would be possible to inforce such a regular account of the proceedings, as to make it plain to every person, upon inquiry, whether the goods

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goods had been *bonâ fide* brought to public auction, and how much they fetched at such sale by auction?—I would.

1060. At present there are no regular sale-books kept?—There are regular sale-books generally kept in Belfast; but in many country towns there is no such thing.

1061. Do you think the sale-books which are kept in Belfast include every article which is pledged and not redeemed, or only such articles as have been sent to the auction?—In some cases I think the books are kept regular, and in many other cases not.

1062. You would wish to see such a system as would inforce the regularity of the sale-book in every case?—I would; and that is the opinion of many others in the trade, both in Belfast and Lisburn.

1063. You think that a systematic mode of insuring the keeping of that account would give great satisfaction to the public?—It would.

1064. When a pawnbroker expects to make profit on the sale of certain articles by retail in his shop, is it not a very strong presumption that he will rather avoid letting them be put up to auction in such a way as to insure publicity to that auction?—It is so; and that is contrary to the spirit of the Act.

1065. Do you think it would be practicable to prevent pawnbrokers from engaging in retail trade?—It would, generally speaking.

1066. Do the pawnbrokers in the north of Ireland sell much by retail in their shops?—A number of them do; the respectable part of them in Belfast do not.

1067. They confine their profits more to the advantages which may be derived by turning their capital more quickly, and making profit solely by the pawnbroking part of the transaction?—By the releasing, (the pawnbroker's profits are by the releasing,) that is, by the goods being taken out by the owner, and the interest paid.

1068. What do you think ought to entitle a person to a license as a pawnbroker?—His proving his eligibility to be a pawnbroker, first, by showing how much property he had, and next, by giving regular securities.

1069. If that was once done, I presume you think it would be sufficient that he should prove he had complied with the regulations as to hours, sales, rates of interest, posting the same in the shop, and giving proper notices of auctions; that compliance with those regulations would be sufficient to insure him a continuance of his license?—Yes, just so.

1070. What advantage do you contemplate from inquiring into his property before he commences business?—Persons who commence on small property, or with small capital, would be more liable to extort greater interest of the poor than a person with capital; because if a person commences business with 200 *l.* or 300 *l.* upon the pawnbroking business, it is almost impossible for him to make such a sum as would keep himself and his family; and yet there are many in Belfast who have not more than 200 *l.*

1071. How do they make their profit?—I can form no notion.

1072. Are your rates of charge the same at Lisburn and Belfast as those which are allowed by law?—The rate of interest at Lisburn has been, for 15 or 16 years, considerably lower.

1073. What is the rate of interest in Lisburn?—On what sum?

1074. Can you prepare a table containing the rate of charge made in Lisburn?—I can.

1075. Do all the pawnbrokers in Lisburn charge the same rate of interest?—They do not; some charge a little more on certain sums.

1076. Do any of them charge more than a halfpenny interest on 2*s.* advanced?—No, I have never heard of it.

1077. What do you charge for duplicates?—A penny for any thing over 1*s.*, a halfpenny under it.

1078. Do you consider a halfpenny sufficient to repay for the trouble you are at in writing out the duplicate, in storing the article and in giving it back?—I consider it too little.

1079. Why do you charge it?—I cannot help it; it has got the custom; one does it, and another follows the example.

1080. Mr. *Lucas.*] If you were to charge 1*d.* others would be found who would charge a halfpenny?—Yes.]

1081. And you would be obliged to reduce?—Yes.

1082. *Chairman.*] On what principle do you charge 1*d.* for a duplicate on an

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an article over 1*s.*, when only a halfpenny is charged on precisely the same trouble, on taking in an article below 1*s.*?—I cannot account for it, only that it has become customary to do so.

1083. Do those pawnbrokers, who charge a higher rate of interest than you, charge the same sum for the duplicate?—Just the same.

1084. What is the longest time the greater number of pledges remain in your hand?—I have a great number on my hands four years.

1085. How soon are the great majority of your pledges released?—In 12 months.

1086. Are they released in a week or 10 days?—The majority in four weeks; they are released more seldom in Lisburn than Belfast, inasmuch as we do a great deal of business with country people.

1087. Articles under 2*s.* 6*d.*, how soon are they usually released?—Generally speaking, from four weeks to three months.

1088. Under 2*s.* 6*d.*?—Yes.

1089. So that your capital is not turned so rapidly in Lisburn as it would be in Belfast?—No, not more than half as rapidly.

1090. Then you do not get as much duplicate-money, in proportion, in Lisburn as they do at Belfast?—O, no, not near as much; the business at Lisburn is a surer but not so profitable a business, and there are fewer articles ultimately left for sale.

1091. Do you lend as near the value of the article at Lisburn as you do at Belfast?—We do.

1092. Do you consider that the money which you receive for duplicates constitutes the larger proportion of your profit, or the money received for interest?—It constitutes about one-third of my profit.

1093. Which?—The money received for duplicates constitutes one-third, or, probably, a fourth of my profit.

1094. Whereas, on a smaller amount of capital in Belfast, it would constitute a much larger proportion of the profit?—It would, I should suppose.

1095. On the other hand, the labour attending the business would be greater?—Twice as much.

1096. Do you think that the interest charged by the Mont de Piété at Limerick would be sufficient to enable you to carry on business, provided the duplicate-money was charged by you?—It would; they charge as much for interest as I do.

1097. At the Mont de Piété?—Yes, they do.

1098. Do you make any charge for the broken sum of one farthing, in Lisburn?—For 1*s.* we charge a farthing a month, and no interest until it is two months in.

1099. Are farthings charged by you?—I never charge a farthing, and I never get any thing for a farthing.

1100. Do you deduct when a farthing occurs in the sum total?—I throw it off.

1101. But you calculate by the farthing for so many months, although you do not charge the odd farthing, and give that up?—Exactly.

1102. Do you consider the scale which you charge is, in some respects, more advantageous to the pledger, than the scale which is charged in England?—I think it is equally so; in many cases it is more advantageous to the pledger.

1103. Mention some cases, in which the sum charged in England is greater than that which you would charge at Lisburn?—A case occurred, in which I pawned my watch for 2 *l.* in London; I paid 2 *d.* on pawning it for the ticket, and I called the next day and was charged 8*d.* more; which was 8*d.* more than I should have charged myself, and 8*d.* more than the law would have allowed in Ireland.

1104. In Ireland no charge is allowed unless the article is five days in pledge?—Unless it is three days in pledge.

1105. Can you speak to any other instance in which the law is more favourable to the pledger at Lisburn than in England?—It is generally supposed that in England no charge is made for duplicates; I got a book pawned on Saturday morning for 6*d.*, and released it in a few hours, and they charged 6½*d.*; the halfpenny must have been for the duplicate, because they could not have charged interest for four hours; or, at least, they could not, according to law.

1106. Mr. *Hutton.*] Do not you think in that case in which you pawned the book for 6*d.*, and released it in a few hours afterwards, that the pawnbroker ought to have some remuneration for the trouble of passing it through his books?—Certainly;

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tainly; I make the observation to show that the charge is equally the same in Ireland as in England, although they say the charge is much lower here.

1107. *Chairman.*] That is to say, higher than what you charge at Lisburn; not higher than what is generally charged in other parts of Ireland?—The case of 6½*d.* on the book is exactly what I should have charged in Ireland.

1108. You admit your charges are lower at Lisburn than they are generally in other parts of Ireland?—Lower than any other place I have known in the north of Ireland; that is in consequence of the competition.

1109. Can you inform the Committee what the rate of interest usually charged in country places is in Ireland, where no pawnbrokers are established?—I can.

1110. Do so?—A woman some time since called on me, stating that she had left a gown in a grocer's shop for 1*s.*, within a few miles of Lisburn, and when she went to release it she saw the servant-girl belonging to the proprietor of the concern wearing it; she asked for it, and offered to pay 1*s.*, and something like three times the interest I should have charged, although she had got goods for the amount; they would not give it to her; it was only after I sent a letter to the local magistrates, when the person was forced to give it up, that she could get it at all; it is a common occurrence for country-people to take in pawns.

1111. Although not licensed?—Yes, and in towns too.

1112. Have you ever served as juror in any cases in which usurious interest was charged by different parties?—I have.

1113. Can you state the particulars of any of them?—I have served when promissory notes were being sued for, and where the plaintiff came forward to prove the value given for it; in one case I recollect 25*s.* a cwt. was charged for meal, and on reference to the current price of the article at that time it was only 16*s.*; the time given in the promissory note was for six or seven months; this was 12 months after the transaction had occurred, that it was sued for.

1114. In that instance the party who borrowed at that usurious rate did not subject himself to the inconvenience of parting with any of his property during the intervening six months?—Certainly not.

1115. However, from your knowledge of the country parts of Ireland, are you sure usurious interest is charged?—Yes, it prevails to an extent that is scarcely known; the system of borrowing.

1116. Can you state any other instance in Scotland where a system of usury is carried on which is very onerous to the poor?—There is a species of trade carried on in the suburbs of Glasgow, where the weaving is carried on, and where the owners of shops evade the law by purchasing articles from persons who want money, merely nominally purchasing, and at the end of the week they charge a penny for each shilling; they charge by the week, and if the person who leaves or sells the article does not release it in a fortnight, it is sold.

1117. But the persons having nominally sold the goods are completely in the power of the shopkeepers with whom they deal?—Precisely.

1118. And if they are poor and friendless, they are subject to great exactions in consequence?—The shop-keeper can do as he pleases towards them.

1119. Do you think a system of properly licensed pawnbroking is of material advantage to the poor?—Yes, of the greatest advantage when it is carried on uprightly.

1120. Do you think that it would be possible for a pawnbroker to write upon the duplicate of a forfeited pledge (when it is presented to him by the pledger for that purpose) the precise day on which the sale of the goods will occur?—It would, and it would totally obviate the necessity of serving the notices, and it would create a certainty on the part of the pledger; his goods would be sold if he did not release them at that time.

1121. Can you say what improvements might be made in the form of duplicate, which the pawnbroker would be required by law to give?—Here is an improved form which I beg to hand in; where the sum to be charged per month would be stated, so that the pledger would know before he left home how much he would have to pay; next the precise day of sale would be stated, so that the pledger could if he wished attend to see that all was fair, and get the overplus, if any remained; the following is the form I would beg to recommend: "No. 1,284, Hugh M'Call, Pawnbroker, Bow-street, Lisburn; this 24th day of May 1838; lent 1*l.* 2*s.* 2*d.* to Henry Johnston on a silver watch and seal; interest on the above sum will be charged at the rate of (5½*d.*) per calendar month; and if the said watch be not redeemed in nine months from this date,

it

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it will be sold by public auction at the sale room, (No. 16 Castle-street in this town), on the day of 183 , at 12 o'clock in the morning. By applying at the pawn-office the pledger can, at the expiration of the time allowed by law, ascertain the precise day of sale so that he may attend."

1122. Do you think, practically speaking, the pledger at present ever expects to get any overplus after sale, if the goods are not previously redeemed by him?—He does often; the pledger calls on me often for the overplus.

1123. Have you your book here in which the amount of sums received on sales is entered?—I have not; I have my day-book, but I can bring my sale-book another day.

1124. Have you a releasing-book?—We do not keep a release-book; it is only in cases where strangers are employed in an office that pawnbrokers keep a release book; and it is not required by law.

1125. How can you ascertain the amount of profit which you have made in the course of the week, if you do not keep a releasing-book?—I will explain; this book which I now have handed in is my day-book, in which I enter all pawns, with the name of the pledger, &c., the sum lent, and at the bottom of each day is entered the sum I have made by profit.

1126. But there is no record of the individual transactions, so as to be able to check, if the case is inquired into before the magistrates, how much you have charged as profit to any one individual who may release his goods?—No, there is not; we destroy the tickets each night as they come in, lest they should again get into the hands of the people, and then we should be accountable for the value of the articles.

1127. Do you not think it would be desirable you should have a record of the sum you have charged to each individual, in order to account to the proper authorities, in case the pawners should bring a complaint against you for overcharge of interest?—I do not see how it would be necessary; I do not see it would be in any way efficient, as far as the pledger would be concerned.

1128. As you have no record of the individual transaction, you only arrive at the total by casting up the money in your hands?—Casting up the money?

1129. Yes; entering it at the bottom of your day's transactions?—In the ticket, according to the plan I have proposed, the persons would be aware of the sum to be charged before they came to the pawnbroker's.

1130. If you are taking in goods and advancing money on pawns at the same time, how can you be sure that the money which you have set down here at the end of the day, as money received, is the correct sum?—I keep one side of my drawer to put in the interest, and by casting up the tickets at night as they come in, I can cast up the money received.

1131. Does not that render you liable to great frauds on the part of the persons whom you employ to take your money for you?—I do not employ anybody; if I did I would have a release-book.

1132. I thought you said you employed a clerk?—I did, some four or five years ago.

1133. Were you not liable to great frauds from the person you then employed?—I was.

1134. Did you incur any losses by him?—Yes, in the year 1831 I lost 75 *l.*

1135. Which has induced you to discontinue keeping a person?—Yes.

1136. Why did you not bring your sale-book?—In fact, I was so hurried, I could not find it.

1137. What amount of overplus have you ever paid back in the course of one year to persons pledging?—I cannot say exactly; but our sales are very trifling, inasmuch, as I have said before, as our dealings are principally with country people, and they are more likely to redeem their goods, although they let them remain longer in pawn than persons in the town.

1138. Where do your sales take place?—In Belfast.

1139. How many miles is that from Lisburn?—Six miles and a half.

1140. The persons who pledge with you have no opportunity of attending your sales where they occur at Belfast?—No, they have not; when we sell in Lisburn we have found such a great loss that we are forced to go down to Belfast; I did sell for many years at Lisburn, but found such a great loss, that I was forced to go to Belfast in consequence of the system not being kept up of sales at Lisburn; if the system was kept up at Lisburn, they would sell as well as at Belfast, but the buyers have discontinued, not expecting such sale.

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1141. The persons who pledge goods do not attend the sales to try and promote the articles fetching the best price, and they consider them, when once forfeited, as being your private property?—No, they always consider that their property is in them, although they may be sold, because they will come back for the overplus.

1142. But still it is so rarely the overplus is realized, that they seldom inquire for it?—Very seldom; not often.

1143. To what do you attribute the fact of there being so rarely an overplus?—The giving so much upon the goods; lending so much in proportion to their value.

1144. The competition among the different pawnbrokers at Lisburn tends to induce each man to lend a higher amount than his neighbour rather than diminish his charges?—Precisely so; I have known a woman to purchase articles of me and pawn them at a profit at another pawnbroker's.

1145. Purchase articles in your shop, by retail, do you mean?—Yes; and I am certain persons have purchased articles at other places, and pawned them with me; it is impossible to be always on ones guard with these people. In Belfast, I suppose, there are 80 families live in that way, by purchasing the articles at pawnbrokers' sales, and going about and pawning them at a profit.

1146. You think the trade could still be carried on if private sales were prevented in the shops of the pawnbrokers, and if they were compelled to bring every single article pledged with them to auction?—There are articles it would be almost impossible to sell by auction; for instance, shoes, irons, hardware, and things of that sort; it would be more for the benefit of the pawner, that they were sold by retail in the pawn-office; that is, the articles under 2*s.*, as the great expense incurred by another takes away the overplus that might arise; the only thing against that is, there would be no check on the pawnbroker.

1147. You think articles on which more than 2*s.* 6*d.* has been lent may fairly be brought to auction?—Yes; I think they should all be brought to auction.

1148. If a pawnbroker is allowed to sell any one article at his shop, is it not probable that he will also sell others?—O, no; not if a fine was instituted, allowing one-half to the informer; besides it would be the auctioneer's duty to look after that, and he would not allow it.

1149. Do you think that the law might enforce any reduction in the present rate of charges?—I think that if there was a license put on each pawnbroker, that there could be very little reduction made of the present rate of interest.

1150. If the license should only insure some inspection of his mode of transacting business, and should not put any tax upon him, do you think a reduction might be made in the rate of charges?—There might be a slight reduction; but I suppose it would be more to the advantage of the poor that there should be a license, as it would make the business more respectable.

1151. Supposing the Legislature did not think fit to impose any license tax, what reduction might be made in the rate of charges?—On various small sums; I should be prepared to give in a rate another time; I am not particularly prepared at present.

1152. Do you know of an instance in which an overcharge has been made by dishonest persons, who have been sent by others to pledge articles for them, and those overcharges have been attributed to the pawnbrokers, whereas it has in reality been made by the messenger?—Very often; I have found it out myself in many cases; when respectable people are forced to raise money in this way, they generally send an individual to the pawnbroker's; I have known a case where 1*s.* 6*d.* more than the pawnbrokers charged was attempted to be charged by the messenger, which, of course, was attributed to the pawnbroker.

1153. What are the class of persons who usually pawn goods with you?—The middle class of people.

1154. Do you find that the very poorest of all do not pawn?—No, they do not, not with me, nor with any others that I know of, in general.

1155. Are any persons who move in what would be supposed to be a superior rank of life induced to pawn property?—Yes; it is of them, the respectable classes, I calculate to make a profit, and not by the poor.

1156. Are the charges which are at present made in the sales by auctioneers very heavy?—They are very heavy.

1157. Do they take a great item of your profits from you?—Yes, they swallow up all the profits, generally.

1158. Which

1158. Which is another reason, is it not, for disinclining pawnbrokers to send their goods to auctioneers?—Precisely.

1159. To what do you attribute the high rate of charges which they make?—What is called the King's duty comes very heavy.

1160. And does the fact of the licensed auctioneer's having a monopoly by law induce him to charge higher for the use of his services than you could procure them from other auctioneers?—I am not aware; I never tried to get any other auctioneer than a licensed one; the charge would be greatly lowered were the duty done away with.

1161. Is the duty paid by the auctioneer to the Government, do you suppose?—I am not aware; I should suppose that it was in some cases; if an auctioneer keeps a regular book he must pay the duty, because he is liable to be inspected.

1162. Do you always return the number of the articles as it is entered on the duplicate to the auctioneer, so as that he should call it out at the same time that he puts up the article to sale?—Yes, I put the number precisely the same as it is on the duplicate; he enters the number in his own book, (sometimes the pawnbroker does not enter the number, but only the name) the article, the date of pawning, the date of the sale, the sum received and the sum that it sold for.

1163. Have you the rate of interest posted up in your shop?—I have.

1164. How long have you had it so posted?—Ever since I was in business.

1165. Are you aware that there are some pawnbrokers who do not comply with that regulation of the trade?—I am.

1166. What do you think would be a fair length of time to keep goods which have been pledged and not redeemed?—There are certain descriptions of goods which could not be kept with safety to the owner and to the pawner more than six or eight months; for instance, hardware, shoes, leather, &c., as they decrease so much in value.

1167. Would you make the limit of time which the goods should be kept depend upon the description of article, or on the amount of the sum that has been paid upon them?—In these cases to which I have just referred, upon the description of the article.

1168. Would it not be difficult to define them by law?—It would not.

1169. What do you think is the longest time that it would be necessary to keep goods which are not redeemed?—Fifteen months; I think it would be much better for the poor if goods were sold at 15 months.

1170. If the poor are noticed that goods are to be sold in a shorter time, do you not think it would be fair to prevent the pawnbroker charging interest after that time?—Yes, I think it would; if the pawnbroker gives notice to the pledger that he will sell on such a day, if he does not then sell, that he should get no interest for any time he may hold after that.

1171. Or rather, if he gives notice the goods are not to be kept longer than, say, six months, that he should not be entitled to charge interest after six months?—Yes, if his not having a sale arises from his own negligence.

1172. You would not expect that a poor man should be compelled to prove negligence upon the part of the pawnbroker, would you?—I would not say that any goods should be limited to be sold so short a time as six months; I would rather say eight months for that class of goods to which I have referred.

1173. Is it not usual at present to sell goods at six months?—Not that I have heard of.

1174. Is it not usual to give notice on the ticket they will be sold at six months?—It is quite usual, but that notice is merely a nominal notice, and is never put into practice.

1175. Would it not be better, that whatever notice of sale is put on the ticket should be strictly complied with?—It would, much better.

1176. Is not the only way of enforcing that, to prevent the pawnbroker from charging interest after the time on which he notices to the pledger that he will sell the goods?—Yes, that would be the perfect way to enforce such an enactment.

1177. Do you think it would be practicable for him also to give written information to the pledger, on the back of his duplicate, when and where the goods were sold by auction, after the time of redemption has elapsed, in order that he might ascertain from the auctioneer what was the sum for which the article sold?—Yes, it would.

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1178. You see no difficulty in that?—No; the present system tells where the auctioneer lives, where it is to be had, and the day; but then it is not efficient.

1179. If the pledger was entitled to demand from the pawnbroker the precise day and place of the sale, that would insure efficiency in the system?—It would; and it would insure attendance on the part of the pledger, if he thought the article was worth locking after; sometimes they think it is not worth looking after.

1180. You have heard the evidence given upon the Mont de Piété, at Limerick; do you think the charges which are made there are such as can by possibility remunerate the pawnbroker?—The general charges would not; but, as regards the interest, it is not more than I charge myself.

1181. In what items do you think the probable losses of the Mont de Piété has been underrated?—They have only proved their profits are 400 some odd pounds in 12 months; they have laid on a certain per centage on the goods in pawn, but that is quite unusual in business of all kinds; because when the business is to be stopped, it would require all the profit that they have laid on, to give out the goods to the owners, because they would have to keep up the entire official staff, and they would be making nothing in the meantime.

1182. When you take stock, you do not credit yourself with as high a rate of profit as Mr. Douglas has done, for the quantity of goods in store?—When I take stock, I put down the money that is lent on the ticket, no matter how long the goods have been in pawn, and without charging any interest.

1183. You do not calculate any profit on the articles which are in store?—No.

1184. Do you consider the labour of giving them out, and the loss derived on the sale of them if they are not redeemed, swallows up the profit on the interest which is expected upon them?—It would; I was offered in Belfast 1,000*l.* worth of goods for the money lent on them, and I would not take them.

1185. If they are making upwards of 90*l.* a month at the Mont de Piété on a capital of 5,000*l.*, do you think that will remunerate them?—With all that, I would not calculate any thing of profit on the goods in pawn.

1186. But the interest-book shows an actual profit of 90*l.* a month at present on the goods, from their being redeemed?—To keep up the present staff it would require all the profit that they might calculate on at present, to get the money lent on them.

1187. You think that keeping up their present staff, their rent and expenses attending the establishment, that 90*l.* a month on a capital of 5,000*l.*, is not more than will realize a small amount of profit?—It would not do were they to quit the business; that is the way to calculate a property; if they were to quit the business, they would not have half the amount, deducting the expenses of giving out the stcok on hand.

1188. But they do not intend to quit the business?—But suppose they were; they have valued their property at 460*l.* more than it is really worth.

1189. Did you enter into a bond as security when commencing business as a pawnbroker?—I did not; for some years after the bonds were not perfected.

1190. Where were they lodged; with the treasurer of the county of Antrim?—Yes, in 1833 or 1834.

1191. They are not in the return which has been laid on the table of the House by the treasurer of Antrim?—My bonds were lodged with the late town clerk for Belfast, and I do not think there is one of the various bonds lodged with him that have been taken out of the hands of his executors.

1192. You lodged them with the town clerk; were you not bound by law to lodge them with the treasurer of the county of Antrim?—I am not aware of that; the general plan is that of lodging the bonds of security with the town clerk; he may remit them if he pleases.

1193. Do you consider that the check which is imposed by the present law with respect to your security, is an efficient one, or not?—If it was acted on, it is efficient; if real security instead of nominal security was taken.

1194. In point of fact, real security is not given, nor is it ascertainable at the present moment in whose custody your bonds may be?—When Mr. Ferguson died, I have heard his papers were in such a disarranged state, I do not believe one of the bonds that were lodged with him have been delivered up; whether from the negligence of the present town clerk or not, I am not aware.

1195. I see in your day-book, in August 1837, a pair of boots entered, and upon which you lent a sum of 10*s.* 2*d.*; does that 2*d.* include the price of the duplicate or not, or did you advance 10*s.* 2*d.*?—I lent 10*s.* 1*d.* on the boots.

1196. The

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1196. The 1*d.* you charged was for the duplicate?—We do not get the price of the duplicate at the time of the pledge, as they do in England.

1197. Here there is 10*s.* 2*d.* entered; if you lent only 10*s.* 1*d.* what is the meaning of that?—One penny for 10*s.* or 1*d.* for the duplicate; and that may have been for some article that is released; there is often some article released by putting in another.

1198. That shows how desirable it would be to have a separate book for your releasing transactions, as by this it cannot be ascertained how it is that this 2*d.* has been charged; is not that so?—I did not keep a releasing-book since I managed the business myself.

1199. Whenever 10*s.* is lent, there seems to be an entry of 10*s.* 2*d.* here?—There are many cases where I put down 10*s.* 2*d.* because the law will allow it; the law allows 2*d.* for 10*s.*

1200. Does it allow you should take the 2*d.* out at the time you lend the money?—No, there is no such thing in the Act.

1201. Here, in three instances in one page, it appears there is an entry of 10*s.* 2*d.* although you advanced 10*s.* on the article?—The law allows 2*d.* on 10*s.*

1202. But 2*d.* only when the goods are released, not to be charged at the time that you lend the money?—I do not charge it at the time.

1203. Then why do you enter it at the time?—I charge nothing at the time; I put it down to be paid when the article is released.

1204. You put it down at the time as if it was lent?—Yes.

1205. What is the interest you charge on 10*s.* 2*d.*?—For a week I just charge 10*s.* 3*d.*, that is 1*d.* interest; the law would allow us to charge 2½*d.* on that for a week.

1206. Whenever you lend a sum amounting to 10*s.*, you charge the borrower as if you had advanced him 10*s.* 2*d.*?—Just put down 10*s.* 2*d.* in the book or the ticket, but we charge interest only for 10*s.*

1207. I see here a great many entries of 7*d.*, 7*d.*, 7*d.*; do you suppose the sum lent by you on each of those cases was precisely 7*d.*?—It was just 6*d.*

1208. And you put down 7*d.*?—Yes, and never charge more than 6½*d.*, unless the article has been in more than six months.

1209. When you enter 7*d.*, do you mean to say that you give back the article for 6½*d.*?—I do.

1210. Although you have entered 7*d.* in the book?—Yes, 7*d.* in the book and in the ticket.

1211. Mr. *Redington.*] Does not that make a confusion between your day-book and cash-book?—I have no cash-book; there is none kept by pawnbrokers who do their own business; in looking over the ticket at night, we charge a halfpenny.

1212. What is the advantage of putting down the wrong sum?—Because the law allows 1*d.* for all duplicates under 10*s.*

1213. What is the advantage of putting down a different sum from what you receive?—I just do it to keep the book regular.

1214. Mr. *Hutton.*] Then your book is not an account of what you receive but what the law allows?—Yes.

1215. According to your account of that book, which, as you say yourself, is different from the real transactions, it would be impossible for any person, by means of that book, without this explanation from you, to know how your business was transacted?—A person could not understand such a transaction as the 7*d.* to which I have just referred without that.

1216. Having been brought up to the business, do you think that is a satisfactory way to keep the books of a pawnbroker?—It is quite satisfactory to myself, because it is the usual course for pawnbrokers to put down 1*d.* on all duplicates up to 10*s.*, and 2*d.* on all duplicates above it.

1217. *Chairman.*] Does any single transaction here represent the real *bonâ fide* sum advanced by you, or is there always 1*d.* or 2*d.* additional entered here as if it had been lent to the pledger, which represents only the value of the duplicate which you gave them?—That is so in every case; in every case there is entered in that book just what the law allows.

1218. Or rather what you conceive the law allows?—Yes, rather what I conceive; my taking 6½*d.* for that is optional with myself; it is a 7*d.* article.

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1219. There is an entry of 2*s.*, which you have charged 2*s.* 1*d.*?—Yes.

1220. How much is the interest which you demand for that?—A halfpenny a month.

1221. Is not that precisely what the law allows; could you charge more than that by law?—I could not charge more when I only lent 2*s.*; I never charge any thing but for the sum lent.

1222. You charge 2*s.* –½*d.*?—Two shillings, and a penny for the duplicate, and a halfpenny a month for every month it is in after that.

1223. You are not allowed by law to charge more than a halfpenny a month for 2*s.*?—No, neither do I.

1224. You do not charge less than you are allowed by law?—I do not charge less in that case.

1225. By entering 2*s.* 1*d.* in this book, it would appear as if you had lent a larger sum than 2*s.*, in which case you would be allowed by law to charge 1*d.*; in fact you have only lent 2*s.*; so that you are charging the full amount of what is allowed by law?—I can recover nothing by law but the halfpenny a month for that; it is the usual course of proceeding.

1226. And you never receive less than a halfpenny a month?—No.

1227. In point of fact, you do not make any deduction from that which is allowed by law?—No, not in that case.

1228. Mr. *Redington.*] Are you aware the Act binds you to enter, in a fair and regular manner, the article you receive and the sum of money you advance upon it?—Yes; and so I have there.

1229. *Chairman.*] You say you have put down 7*d.* when only 6*d.* was advanced?—That is 1*d.* for the duplicate.

1230. Does the law allow you to do that?—It would be a hard case upon a poor person if we took 1*d.* from 6*d.*, and only gave them 5*d.* in their hand.

1231. Are you entitled by law to take that 1*d.* from the poor person?—Yes, otherwise how could I be paid for the duplicate.

1232. Is there any section in the Act by which you are entitled to be paid for the duplicate, except where the goods are released?—Then I must put it down in the ticket, if not, I should forget it; if I lend 6*d.*, and the person comes at the end of three or four months, I would charge the 6*d.* that was in the duplicate.

1233. Why should you forget that you are entitled to receive 1*d.* for the duplicate at that time; is it likely that people should forget that they are entitled to a certain profit?—It would be contrary to the usual course of proceeding.

1234. Would it not be conformable to law, although it may be contrary to the usual course of proceeding?—Not that I have ever known,

1235. Mr. *Hutton.*] Have you ever paid any fee to the marshal of Dublin?—Yes.

1236. What fee?—One pound a year.

1237. Did you transmit that to him to Dublin?—I did.

1238. Have you paid any thing else at one payment?—Never to him.

1239. How long ago is it since you paid that?—Yearly; we pay it in January.

1240. You pay yearly in January 1*l.* to the marshal of Dublin?—Yes, the fees on our returns.

1241. Have you a receipt which specifies what that is for?—I have not.

1242. Have you ever transmitted returns to the marshal of Dublin?—Regularly.

1243. What returns?—Returns of the sums of money lent, and the number of pledges taken in the year.

1244. And when you transmitted that, you transmitted 20*s.* along with it?—Yes.

1245. Are there any other remarks you would wish to make as to the improvement that might be made in the present system of transacting the pawnbroking trade?—Yes; particularly that of having a new form of duplicate, and having the rate of interest plainly painted in each office, so that each pledger would see the rate of interest which he should be charged; a great evil has arisen from pawnbrokers not complying with that particular clause of the Act; if there was a fine instituted for the neglect of it, and the person informing would have a certain sum, say 1*l.* or 10*s.*, it would be of great advantage

vantage to the poor, because they could by no means be cheated when they could see the amount to be charged for interest and duplicate placed up in the pawnbroker's office. Mr. *Hugh M'Call.* 28 May 1838.

1246. Did you pay 5*l.* to the clerk of the Crown at Belfast for a certificate when your security was lodged with him?—I do not recollect what I paid; I think it was about 8*l.*

Martis, 29° die Maii, 1838.

MEMBERS PRESENT:

Mr. Beamish	Mr. Redington.
Mr. Emerson Tennent.	Mr. Lucas.
Mr. Corry.	Captain Meynell.
Mr. Hutton.	Sir William Somerville.
Mr. Roche.	

LORD VISCOUNT CLEMENTS, IN THE CHAIR.

Mr. *Arthur Aikin,* called in; and Examined.

1247. *Chairman.*] YOU are a pawnbroker, I believe, in Belfast?—I am. Mr. *Arthur Aikin.* 29 May 1838.

1248. Have you been long in business?—I think about 22 or 23 years.

1249. Have you been deputed by the trade at Belfast to represent their sentiments before this Committee?—I have.

1250. Was there a difference in the trade as to who should speak their sentiments?—There was.

1251. But the majority of them, you conceive, wished that you should come over here?—The difference between them was about a license; they differed about a license being put upon the trade; the one party was for a license and the other was not for it.

1252. You mean, that one party was anxious that a sum of money should be paid annually for a license, and the other party wished that that license should be granted without any charge?—They did.

1253. What was the object of that part of the trade which desired to see an annual sum paid for a license?—There has a bad impression gone about of the trade with regard to stolen articles and different things in that way; and those that objected to the license we considered were the persons who acted badly for the trade.

1254. What was your object in wishing the trade to be subject to a payment annually on taking out a license?—We considered that the auction duty was to be done away with; that it would be in lieu of the duty, and to pay the inspectors.

1255. What sum do you think the trade of Belfast could afford to pay for each license?—We were thinking about 50*l.* a year.

1256. Do you think any mode of annual inspection, which should enforce a proper system of keeping accounts of goods that are pawned, would be beneficial to the public and not injurious to the trade?—I think it would.

1257. Such a system as would enable any magistrate or any person pawning goods to trace precisely what has become of his goods, from the period of pawning to the period of forfeit and sale?—Yes, that does exist at present under the present Act; it can be very easily done under the present Act.

1258. But do you think that the books kept by the smaller pawnbrokers are kept in such a way as would enable a person to ascertain in every instance what had become of the articles that were pledged by him?—I do think they are not.

1259. Your books are so kept, but other persons in the trade are not so particular as to the way of keeping their books?—I think, with the greater part of the trade, the books are kept pretty fairly, but with some they are not kept well.

1260. Do you think that any persons in the trade charge a higher rate of interest than you do?—I have heard complaints made of their charging a higher rate of interest, but I have no opportunity of knowing whether they do or not.

Mr. *Arthur Aikin.*

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1261. Will you have the goodness to show the Committee the books which you are in the habit of keeping?—

[*The Witness produced the books.*]

1262. This is your day-book; the first column is the number of the duplicate, the next is the name of the party, the third is the residence, the fourth is the description of goods, and the fifth column contains the sum which you lend upon the article?—Exactly so.

1263. I see in this entry, where 2*s.* has been lent, that you mark down 2*s.* 1*d.*; is hat the universal custom in Belfast?—It is.

1264. Do you consider that legal?—We always do that.

1265. Do you always charge the price which you intend the borrower to pay for the duplicate as if it was cash lent to him?—Yes.

1266. You must be aware, of course, that the inserting that penny, as if it were money lent, gives you an opportunity of charging 6*d.* additional at the end of the year, provided his goods are not released at the end of 12 months?—We never do any thing of the kind; we charge only one halfpenny a month.

1267. You charge one halfpenny a month for 2*s.*?—Exactly.

1268. Though you are entitled, by law, to charge double that sum when 2*s.*1 *d.* has been lent?—No, we are not; we never consider ourselves entitled to any such thing, and we do not do it.

1269. Mr. *Tennent.*] Do you speak of your own trade?—I speak of the general part of the trade in the town; I have heard it said that some have charged upon it, but it is not the general rule of the trade.

1270. Mr. *Hutton.*] But when the sum of 2*s.* 1*d.* lent is entered in your books, you are, by law, entitled to charge double what you would charge if only 2*s.* was entered in your book?—I do not think we are.

1271. *Chairman.*] When the pawner accounts with you for the interest, at the end of one month, what charge do you make him for a loan of 2*s.*?—Two shillings and three halfpence.

1272. Being 1*d.* for the duplicate, and a halfpenny for the interest?—Yes.

1273–4. If he has paid for the duplicate at the time of pawning the article, why do you charge him again?—It is not the custom, in Belfast, to pay for the duplicate at the time of pawning; we never have any money taken at the time of pawning.

1275–6. Mr. *Roche.*] Does the insertion of that penny, in addition to the 2*s.*, lead to any increase of interest by making it exceed the 2*s.* advanced?—I have heard people say that it does.

1277. You do not, yourself, take any advantage of it?—I do not.

1278. *Chairman.*] Will you produce your releasing-book, to prove to the Committee that you charge only in the way you mention?—I have no releasing-book.

1279. How do you transact your business without a releasing-book?—We have none but my own family doing the business, and we have no occasion for a releasing-book for ourselves.

1280. You charge what you consider fair, but make no entry, in order to prove to the magistrates that that is all you receive?—No, we keep no releasing-book, nor ever did; and I do not think any in the town keep a releasing-book.

1281. How is it possible to prove, before any of the authorities, the sum that you charge for interest?—We never came before the authorities on any such question, for we always charge all that is regular.

1282. Supposing you were to charge more than the legal rate of interest, you admit that there is no way of checking you in that charge?—No, I think not.

1283. Supposing the ticket is lost, how can you satisfy a poor person that his goods are released?—We look for the article, and get it for them, if it be not released upon the ticket.

1284. If you have no releasing-books to show that the article has been already released by somebody else, how can you prove to him that the goods have been given up by you?—We keep the month's tickets together, and we examine the tickets when parties apply.

1285. Are the tickets filed in such a way as to enable you to ascertain, for the poor persons, when and how their goods were released?—They are; they are all put upon a file.

1286. You

Mr. *Arthur Aikin.*

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1286. You do not destroy the tickets at the end of the day, in order to prevent to possibility of their being purloined and the goods demanded again?—No, we do not do any thing of the kind.

1287. Do you keep a sale-book to show what becomes of the articles which have been forfeited?—I do.

1288. Will you have the goodness to produce it to the Committee?—

[*The Witness produced the same.*]

1289. Is this sale-book kept by you?—It is kept by the auctioneer.

1290. Do you keep one yourself?—No.

1291. Then how can you inform any party who comes for information to your house, respecting the sale of the goods, when and how they were disposed of?—We always sell the goods when they have been 12 or 13 months in.

1292. But how can you inform any party who comes to your house the precise way in which their goods were disposed of, and the amount for which they were sold?—They may refer to the auctioneer's book.

1293. They cannot obtain that information from any document that you keep in your house?—We know by the month's tickets when the goods are taken to sell.

1294. How can you tell how much they fetched at the sale?—That book tells.

1295. Then you mean to say, that you refer the pawner to the auctioneer for further information upon the subject?—We do.

1296. Do you never sell any articles in your own house, without first sending them to the auction-room?—We never do.

1297. Do you ever buy goods in at the auction?—Very rarely.

1298. Do you sell any goods whatever by retail in your shop?—Some odd goods, if we are obliged to buy in some articles that we cannot get sold, but very few.

1299. What class of articles are they; are they principally the better description of articles or an inferior description?—They are the more inferior description.

1300. Up to what amount of value, generally?—Such as women's gowns and coats, and different articles which we are obliged to buy in.

1301. Up to what amount of value?—There may be some articles not more than 1*s.* 6*d.* value, and some as high as 7*s.* 6*d.*

1302. From 1*s.* 6*d.* to 7*s.* 6*d.*?—Yes.

1303. Do you agree with the recommendations that have been made by Mr. Homan for the improvement of the trade?—Some of them I would agree with, and some I would not; I would not allow the trader the liberty of selling the articles as he pleases in the way he mentioned yesterday.

1304. Do you think it is better for all the parties that the trader should be obliged always to take the goods to auction?—I do.

1305. Do you think there would be any difficulty in his keeping a proper book to inform the customer what became of those goods at auction?—I think it is only right.

1306. Do you think it is possible for you to give notice to any person, in writing on his duplicate, of the day on which any article forfeited will be sent to sale?—I think it would be only right; there is the form of the notice we always send [*producing the same.*]

1307. Mr. *Hutton.*] With reference to this book which you have given in, I observe in every case in which 10*s.* has been lent, there is a charge put down in the column of 10*s.* 2*d.*; is the 2*d.* for the duplicate?—It is.

1308. Are you aware that by the Act you have no right to charge more than 1*d.* for the duplicate?—I was not till I heard it in this Committee-room.

1309. Would it not be your duty, or the duty of any body conducting this business, to understand what price you have a right to charge, and what you have not?—I always considered we were legally entitled to 2*d.* for a ticket upon 10*s.*

1310. It appears here that you have uniformly charged 2*d.* for 10*s.*?—Yes.

1311. And 4*d.* for 2*l.*?—Yes.

1312. Instead of 2*d.*?—No, 4*d.* is allowed upon 2*l.*

1313. Twopence, if above 10*s.* and not more than 40*s.*?—Yes.

1314. So that there appear to be a great number of overcharges in this book?—If it is an overcharge, it is all right; we all do it.

1315. How do you make it right?—We charge 2*d.* for the 10*s.* and 4*d.* for the 40*s.*

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1316. *Chairman.*] That is to say, it is the general custom of the trade, and you conceive it is authorized by law?—Yes.

1317. Mr. *Lucas.*] It is a charge which you regularly make, not according to your fancy, but according to what you consider to be right?—Yes, regularly; we always make it.

1318. The same to everybody according to the amount?—Yes.

1319. Mr. *Hutton.*] You say you keep no book but a day-book; if a person comes to claim a surplus, you refer him to the auctioneer; do you think that it is right, when a person claims a surplus for an article left with you in pawn, that you should give him the trouble of going to another place and searching another person's books, when the law requires you to keep books to satisfy him?—He has not far to go; but the books are always kept with the auctioneer.

1320. Answer the question put to you; do you think it right that you should send this man to another house to make inquiries, when the law states that you should be able to satisfy him yourself?—It is the custom of the trade there.

1321. In point of fact, do many persons come to obtain a surplus?—They do, indeed.

1322. How many pawnbrokers are there in Belfast?—Forty-six or 47.

1323. Then this auctioneer has to keep an account of the sales of all those pawnbrokers?—No, he has not; he has only to keep an account of the sales of those that he sells for.

1324. How many does he sell for?—I cannot tell; I should think for the greater part of them.

1325. You are aware that it must be more difficult for him to find out the entry and satisfy a person who has pledged articles with you than it would be for you to do it?—His clerk gets 1 *d.* for every examination.

1326. Mr. *Redington.*] Are you aware that the law obliges you to keep a sale-book?—I am; but we consider that the book which is kept there is quite sufficient.

1327. Mr. *Tennent.*] What return does the auctioneer make of his sale?—He just adds up the book at night, and whatever the sale comes to I get the money from him.

1328. Does he not furnish you with a return of the articles sold and the prices?—Yes.

1329. Would you not, in the event of the pawner calling upon you for information, refer to that and satisfy them?—That is merely an account of the amount of things the auctioneer has sold; he takes his fees and the duty, and pays me the remainder.

1330. When an article has been disposed of so as to leave a surplus upon the money originally lent upon it, what is the proceeding of the auctioneer in that case?—When they come with a ticket to me or to the office, if they are told that the article is sold, they go to Mr. Devlin's office, and his clerk can count up the interest as well as we can.

1331. Does Mr. Devlin give them a certificate of the amount?—He writes on the back of the ticket if any overplus is coming, and it is paid directly.

1332. *Chairman.*] In how many cases have you paid overplus?—Very often; I have no sales that I do not pay overplus.

1333. What proportion in the course of a year?—I suppose we may have from four to six sales in a year.

1334. What proportion of the goods at the sales yield an overplus?—The good articles will always yield an overplus, such as plate and watches.

1335. What proportion in number?—Not very many.

1336. Mr. *Tennent.*] You do not find that overplus claimed in every instance?—No; sometimes it is not.

1337. What proportion do the instances in which it is claimed bear to those in which it is not?—The greater part is claimed, but sometimes it is not.

1338. Sir *W. Somerville.*] If it is not claimed, do you make any effort to find out the person?—No.

1339. Mr. *Tennent.*] You say there are 46 or 47 pawnbrokers in Belfast; are you aware of the necessity of their entering into a bond with sureties for an obedience to the law, and depositing that with a public officer; are you likewise aware, that, in a vast majority of instances at Belfast, that has not been complied with by pawnbrokers?—Yes.

1340. Have you yourself complied with that?—I have.

1341. Have

1341. Have you then deposited a bond in conformity with the law?—I have.

1342. Do you remember how many bonds were deposited upon that occasion?—Four.

1343. One entered into by yourself, and one by each of the three sureties; were each of those four bonds on a separate stamp?—They were; at least I think so.

1344. Does the law require that, are you aware?—I am not aware of the law of the case.

1345. Are you aware that the greater number of pawnbrokers in Belfast have evaded this law, and have not deposited this bond as required?—I think some of them have not deposited the bond.

1346. Can you account for the system under which this has occurred?—It arose from the negligence of the town clerk; he gets the money, and one hears no more of it.

1347. Do you mean that the town clerk merely receives the fees for the bond and fails to see it perfected?—The town clerk gives in an order at the back, and he writes to Mr. Butler and gets some surety for him, and the party just begins his business, and there are no more bonds or any thing else; the fees are paid.

1348. Mr. *Roche.*] What proportion of the supposed value are you in the habit of advancing upon articles?—Sometimes we lend over the value.

1349. Upon what principle; are you not liable to lose upon that?—We are, but we lend very high upon them, because there are so many in the trade.

1350. Mr. *Beamish.*] What duty do you pay upon the bond?—I think it was 10*l.* that I paid.

1351. What are you bound by law to pay?—Not any thing amounting to that; I think 4*l.* 5*s.* is the cost it should be.

1352. Mr. *Tennent.*] Was that 10*l.* for costs?—For filling the bond.

1353. Are you aware whether it has been the habit to fill those bonds after the duty has been so paid?—I do not think any have been filled regularly in the last four or five years.

1354. Though a charge has been made for the filling of that bond?—Yes; but in some instances there is more than that charged.

1355. Mr *Lucas.*] Does the town clerk receive the fee?—He does.

1356. Sir *W. Somerville.*] He receives this fee without ever filling up the bond?—He does.

1357. Mr. *Tennent.*] Do you conceive, if that bond were properly enforced, it would have a considerable effect in regulating the trade, and producing a conformity with the law?—I do think it would.

1358. Is it your opinion that the irregularity, which had crept into the trade, had arisen from a laxity in the dealer, and from those bonds not being filled up?—I do think it arises from that.

1359. Why do you think so?—I knew a man that was in the pawnbroking business at Belfast, and he sold off all the things that he had, and went out of the country.

1360. Was that man named Hill?—Yes.

1361. *Chairman.*] What was the value of the goods?—I do not know; I know that he sold them off; there was a good stock.

1362. Were there 500*l.* worth?—I cannot say that.

1363. Is there any penalty against a man doing that?—There is, if it could be enforced, I believe.

1364. Mr. *Tennent.* Do you think that any disadvantageous consequences arise from the present unrestricted hours at which pawnbrokers are permitted to keep their houses open?—I do think, above all things, they ought to be obliged to keep their hours.

1365. What evils do you conceive to arise from the present system?—For instance, if there is any thing stolen, the greater part are taken at night, and if a pawnbroker has his place open at half-past six or seven in the morning, before people are up or able to look after them, the things are pawned; but if they were not to open their houses till nine, they might have notice given them, and the things might be got back.

1366. And would the same objection hold to keeping them open at unseasonable hours at night?—Yes.

1367. Do you conceive that the pawnbrokers themselves would make any serious opposition to the limitation of the hours?—The magistrates, at one time, complained; but they could not succeed.

Mr. *Arthur Aikin.*

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1368. Are you aware of any pawnbrokers' offices being kept in connexion with public houses?—There are a great many of them.

1369. Who hold two licenses?—Some hold three licenses; there are two pawnbrokers' shops and a public-house besides, owned by the same person.

1370. Mr. *Beamish.*] You said that you gave sureties when you entered into your bond?—I did.

1371. What were their names?—My father was one; William Aikin and old John Miller, of Barry-street, and my father-in-law, James Foster.

1372. Mr. *Hutton.*] How many of those sureties are living?—They are all three living.

1373. Mr. *Tennent.*] Are you aware whether any night sales are at present permitted in Belfast, by auctioneers?—There are.

1374. Is that contrary to the provisions of the law?—It is.

1375. *Chairman.*] Does the auctioneer whom you employ ever sell any goods by night?—He does not.

1376. Mr. *Redington.*] What is his name?—Devlin.

1377. Mr. *Tennent.*] Within what time, after the expiration of the period within which goods would be redeemable, do you generally sell them?—We hold goods over for a year; and it is the rule generally in Belfast.

1378. *Chairman.*] If you hold them for more than a year, and the goods are redeemed by the pawner, do you charge interest for only 12 months?—We charge interest up to whatever time they are taken up.

1379. If notice is given to the pawners that the goods will be retained for only 12 months, do not you think it would be fair that the pawnbroker should be limited to 12 months' interest upon the loan?—I think it would be well; I do not think it is a good job to hold them over.

1380. Then you would not think it a hardship if no interest was chargeable after 12 months, so as to give the pawnbroker an inducement to sell goods off at a certain time?—I think if no interest was charged after 12 months, there would be no doubt of the goods being sold.

1381. Which would be better for both parties?—Yes.

1382. Mr. *Tennent.*] Is it the custom in Belfast, generally, to sell the goods deposited with the pawnbroker in the town, or to sell them at a distance from the town?—We always sell them in the town.

1383. Does that practice prevail in the country?—The greater part of them sell them in the town.

1384. Have you never yourself sent goods to a distance to be sold?—Sometimes I did take goods to Lisburn.

1385. Was it after having failed to sell them in Belfast?—It was a good many years ago.

1386. Was it the same auctioneer who accompanied the goods from Belfast to Lisburn?—No, it was not this auctioneer, but the man who has since gone to America, of the name of Mahoney; but he was regularly appointed.

1387. In the event of the party who pawned those goods wishing to trace them, would it not have been extremely inconvenient to follow them to Lisburn?—The goods were sold the same as at Belfast.

1388. Where?—At Lisburn.

1389. Would it not be inconvenient to follow them?—The books came home to Belfast, to his house.

1390. Then it was the Belfast auctioneer who sold them at Lisburn?—Yes.

1391. *Chairman.*] What is the size of the ticket that you give as a duplicate with the goods?—I will show you one.

[*The Witness produced one.*]

1392. Is that larger or smaller than those which are given in London?—That is a London ticket, and that is my ticket [*producing the same*].

1393. Though this is smaller, the material of which it is composed, being card, seems to be much stronger and less liable to be worn out than yours?—It is stronger; but any of them will wear for a year and more.

1394. Mr. *Beamish.*] You stated that you paid 10*l.* for a bond, and many paid more; and you were asked what you were bound by law to pay, and you said 4*l.* 5*s.*; have you ever referred to the clause to see what it was?—No.

1395. Were you satisfied to pay what was demanded?—Yes, and all that go to take out a license pay what they are asked.

1396. It

1396. It appears, by reference to the 39th section, that 6*s.* 8*d.* is all that they are entitled to for filling in the bond, and the stamp is then about 10*s.*; so that by reference to the law they have only a right to charge you 16*s.* 8*d.*?—I think it is more than 16*s.* 8*d.*; the system of granting licenses has been very irregular. Mr. *Arthur Atkin.* 29 May 1838.

1397. Sir *W. Somerville.*] What is the amount of the stamp?—I do not know.

1398. Mr. *Redington.*] You stated that some pawnbrokers in Belfast have likewise spirit licenses; have you known a penalty levied against them for having spirit licenses as well as pawn licenses?—I never knew such a case.

Mr. *James Welsh*, called in; and Examined.

1399. *Chairman.*] ARE you a pawnbroker in Galway?—I am. Mr. *James Welsh.*

1400. How long have you been in the trade?—Nearly 11 years.

1401. What amount of capital have you in the trade?—I dare say at present about 1,700*l.*

1402. Were you deputed by the other pawnbrokers in Galway to speak their sentiments before this Committee?—Yes.

1403. How many pawnbrokers are there in Galway?—There are eight on the returns, and there are nine doing business; there is one not on the returns.

1404. Are the pawnbrokers in Galway willing that the trade should be subject to regulations, in order to compel every individual of the trade to comply with the provisions of the existing law?—I think so.

1405. Are they anxious that there should be a license renewable upon good conduct, and which could be refused in case any contravention of the law was practised?—We were not aware of what alterations would be made when I left, but I dare say they would; the generality of them would comply with the license; the most respectable portion of them.

1406. Would they be desirous that there should be a sum paid for that license, or that it should be given gratuitously?—I think they would rather have it paid for.

1407. To what amount would they wish the tax to be raised?—I think, according to the population of Galway, about 20*l.*

1408. Which should be in lieu of the duty at present paid upon auctions?—We have nothing to do with the duty; the auctioneer always pays that duty, according to the amount sold at auction.

1409. But your goods fetch less in proportion to the amount of duty which is paid upon them?—I do not find it on my sales; I cannot grumble at the sales.

1410. Do you also wish that the pawnbrokers should be compelled to keep the hours required by law?—Yes.

1411. Have you ever known of articles taken in at Galway beyond the legal hours?—Yes, and I have known of several of the pawnbrokers being summoned to the magistrates' office at different times for taking before and after hours.

1412. Do the pawnbrokers who have done so still carry on business?—They do.

1413. Do you find it a great hardship upon you, who are inclined to comply with the provisions of the law in that respect?—I do find it a great hardship; they have summoned some of the parties, and got them fined for keeping irregular hours.

1414. Do you keep a table of interest hung up in your shop?—I do, and a large sheet attached to that, in large printed letters, signifying to the public that if there is an overplus after the sale, they are entitled to it; and to come there with their tickets.

1415. How long has that notice been put up there?—I believe for nearly five years.

1416. Do you find, practically speaking, that they often come to look for the overplus?—They do.

1417. Do you think that all the pawnbrokers in Galway are equally ready to pay over the overplus to the pawner in case his goods fetch an overplus?—I am not aware; I have heard some of the public grumble and say that they considered that their goods ought to have brought more than the money they borrowed upon them.

1418. Do you ever sell any goods on your own premises?—Always on my own premises.

Mr. *James Welsh.*

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1419. Is the auction always carried on on your own premises?—Yes, in the office I do business in.

1420. Who is the auctioneer?—A man of the name of Michael Mangen.

1421. Is he in your employment?—No.

1422. Does he keep no sale-room of his own?—He keeps no sale-room.

1423. Does he keep a book in his own office with an account of the sales he has effected upon your premises?—He takes a copy of the sale made in the office with him, for which he pays duty, as he informs me, to the excise; the excise are very sharp in Galway, and in many instances they send a man to see what the amount of the sale comes to; they are afraid that the auctioneer would deny paying the whole of the duty; they refer to our sale-books after the sale is done.

1424. Mr. *Redington.*] Do you keep a sale-book as well as the auctioneer?—Yes.

1425. *Chairman.*] Is the sale-book that is kept by the auctioneer often referred to by the person who has pawned goods, after they have been forfeited?—Yes, many times; in one instance I have known a person, that is in the case of a ring, about 12 months back; the person who pawned it came to inquire for it, and the person whom it was pawned with said it was sold; he required to see the sale-book, and it appeared to be sold on it; and the woman referred to the auctioneer, and he said he sold no such thing at the auction; so that the consequence was, that the pawnbroker was summoned to the magistrates' office, and obliged to pay the amount of what the ring cost, the money which she swore to.

1426. Mr. *Hutton.*] It was falsely entered in the sale-book?—Yes.

1427. *Chairman.*] Does that individual still continue to exercise the trade of a pawnbroker?—Yes.

1428. Notwithstanding his having been so convicted?—Yes.

1429. Do you give any notice of those sales to the individuals who pawn the goods?—We make as much noise as we can by the bellman, a fortnight or a month before the sale.

1430. Would you have any objection to give notice in writing to the individuals who might apply to you by informing them, on the back of the duplicate, the day on which the sale would be effected?—I would not; but I think it would not take any effect, particularly in Galway.

1431. You think the parties would not apply to you?—I think not; we give sufficient notice by the bellman that there will be a sale on such a day subsequent to the time that he rings; and on the day of the sale we send him about, and sometimes send a person with him for fear that he should not go, and make as much noise as he can of the sale.

1432. Do you exhibit the goods in your shop which are for sale?—I do, at least a fortnight before.

1433. With a placard?—No; the goods hanging up, and the labels on them, are as much as saying to the person who visits the office, and one neighbour may tell another that there will be a sale of the things forfeited on such a day.

1434. Supposing an offer is made you for the purchase of those goods on the spot without the auction, do you ever sell them?—Never.

1435. Mr. *Redington.*] At what time in the day is the sale held?—In the daytime, generally commencing about 12 o'clock in the day.

1436. *Chairman.*] Do the goods sell well usually?—I have no occasion to say the reverse of my sales.

1437. Do you generally realize an overplus on the sale?—Most generally, upon the average.

1438. What amount of money do you usually lend in proportion to the estimated value of the goods?—I dare say about one-half, or less.

1439. Sir *W. Somerville.*] You never lend above the value?—No, that would not do.

1440. *Chairman.*] For what period do you keep the goods where they are not redeemed?—Sometimes 18 and 19 months; I never sell under 15.

1441. Then, if a person comes to you to redeem the articles before they are sold, at the end of 16 or 17 months, do you charge 16 or 17 months' interest upon the article?—I do.

1442. Does not that usually amount to very nearly the full value of the article?—In some cases it amounts to as much as is lent on the article.

1443. Do you not think that if you were limited to 12 months' interest, and were enabled to sell the goods at the end of 12 months, that that would be fairer both for

for the pawner and the broker?—I would not like to be compelled to sell any thing in less than 15 months, to give three months above the 12 for the people to release their things.

1444. Would you like to be compelled to give them up at any time at which they chose to demand them before sale, upon payment of 12 months' interest only?—I should like to be confined to 15.

1445. Mr. *Hutton.*] Why do you mention 15 months as the particular time you would prefer?—To give three months time to the pawner.

1446. Is there not a particular season of the year at which you take in more goods in pawn than at another?—Yes, there is.

1447. What season?—The summer season; from this to the latter end of September.

1448. Do you not conceive that it would be more advantageous to you to sell the goods in the spring than at that time?—I do not know; I never remarked any thing of that.

1449. Is there not a certain portion of the year when persons, having goods to sell, get a higher price?—Yes.

1450. Then, would it not be most for the advantage of persons holding the goods that they should sell them at that period?—I cannot answer that, because, if we keep the goods for 18 or 20 months, persons are anxious to get their goods; they will do any thing rather than forfeit their things, particularly blanketing, and so on.

1451. *Chairman.*] You heard the evidence of Mr. Homan, do you agree with him as to the amendments which he suggested in the law?—I do; I was with him when they were writing down, and I approved of every thing contained in it.

1452. Will you have the goodness to show the books which you keep?—

[*The Witness produced the books.*]

1453. Do you keep a day-book?—Yes.

1454. A releasing-book?—No releasing-book.

1455. When you lend 2*s.* upon an article, what do you set down in your day-book as the sum lent?—That is the sum lent.

1456. You enter 2*s.* and not 2*s.* 1*d.*?—No, never.

1457. What interest do you charge upon that?—One halfpenny per month.

1458. Mr. *Hutton.*] How does it appear by this book the manner in which you get paid for your ticket, and the interest; this book merely shows the description of article, the name of the person, and the sum lent to that person; it does not show how you get reimbursed for the sum you advance?—Each day's releasing, that is, when the ticket comes in in the course of the day, from the time of opening the office in the morning till closing at seven o'clock, the clerk goes to the ticket-book and takes a ticket and puts R. D. to each.

1459. By the way in which these books are kept your clerk may charge, for any thing you know, three times the amount that he has any right to take?—He never takes money at all; I am always over the business, or some branch of my own family.

1460. But your books show nothing as to the amount you have received?—No, they do not.

1461. *Chairman.*] When you enter 2*s.* or 3*s.*, do you pay that precise sum, or do you deduct the price of the duplicate at that time?—I pay that precise sum.

1462. And do not deduct the price of the duplicate?—I do not make any charge, till the duplicate comes in to release the article.

1463. Then, you consider that entering 2*s.* 1*d.* when you only advance 2*s.*, would be illegal?—I think so, in the way that I read the Act of Parliament; because the Act of Parliament says any thing over 2*s.* and not exceeding 4*s.*, and the money lent is to be put upon the face of the ticket.

1464. Do the parties pay for the duplicate in cash at the time of pawning?—No, they do not, only when releasing.

1465. What were your profits for the last year?—I never keep an account, because I know what profits I have are safely taken care of, having no person to take out or receive but my own family.

1466. Will you have the goodness to show the Committee your sale-book?—

[*The Witness produced his sale-book.*]

Mr. *James Welsh.*

29 May 1838.

1467. Is this book kept by yourself or by the auctioneer?—It is kept by myself, and a copy is taken of that book at each sale by the auctioneer.

1468. Mr. *Beamish.*] By this book it appears that 7*s.* was lent upon an article that has sold for 14*s.*, and you returned 3*s.* 4*d.*, that will be equal to 10*s.* 4*d.*; the difference, then, must have been the charges upon it; how do you make out those?—It is headed there, the articles belonging to the month that were sold, and you can see what date that is, and you will find that reckoning 2*d.* a month will make the charge.

1469. But you have no column showing how the charge is made?—I think that shows it clearly enough.

1470. Mr. *Hutton.*] You made a certain return to the marshal of Dublin of the business done by you; have you seen that return in the account sent in by the marshal?—I did not take much notice about it; we were never particular about it; we thought it a mere matter of form.

1471. The marshal applied to you for a return, and you sent him a return?—I sent him a sort of return which appears on the returns, but I do not think it is correct; I know that I lent more money than appears upon the face of the book.

1472. Then, according to your own account, you sent him an incorrect return?—Yes; the boy asked me if he was to go through the day-book, and I said, "You will have to go over each month and make out each month;" I enclosed a return and paid the postage, for there was a notice "No letters received at this office but post paid."

1473. Mr. *Beamish.*] What do your bonds cost you?—I believe 5*l.* or 5*l.* 10*s.*, the paying the fees and the expense.

1474. Did you make any particular inquiry as to what you were bound by law to pay?—I did not; I left it to the town clerk; he told me the price of the bonds and his charges upon filling them.

1475. And you paid him, in fact, whatever he demanded?—I would not; I would scrutinize if I thought he was charging too much.

1476. How could you know that, unless you inquired?—I inquired in Limerick, and I was asked 10 guineas for what I got in Galway for 5*l.* or 5*l.* 10*s.*

1477. Can you state 10 years ago what number of pawnbrokers there were?—Not more that four, I believe.

1478. Then within the last 10 years they have increased 100 per cent.?—Yes.

1479. Mr. *Redington.*] Is not one of your sureties a pawnbroker?—No, he is not.

1480. Is not Murray your surety?—Yes, but Timothy Murray is my surety; he is not a pawnbroker.

1481. *Chairman.*] Did you keep a day-book similar to this before the year at which this commences?—Yes, I did; that commences on the 6th of December 1837.

1482. Did you keep a similar book the year before?—It always goes in succession.

1483. Have you always omitted to enter the residence of the party pawning, as I see you have done invariably in this book?—I have, for these six or seven years, for this reason: if I asked "Where do you live; in what part of the town?" they would say, "What is it to you?" as if they were afraid of having the police sent to them, so that I got tired of asking them the question; in fact, hey used to be so displeased, that I thought it unnecessary to be asking.

1484. Mr. *Redington.*] Are you aware of any pawnbrokers in Galway that have spirit licenses?—None.

1485. *Chairman.*] I see you have lent 15*l.* upon a gold watch and chain; do you frequently lend over the sum of 10*l.*?—Not very often.

1486. You are not restrained by the terms of the law in that respect?—No, I would run the risk; I know very well that I could not charge more than six per cent. over 10*l.*

1487. But, practically, you have never known that restriction enforced against you?—Never; I believe it is embodied in that paper of Mr. Homan's, that we require to be allowed to lend larger sums than 10*l.*

1488. Are there any other observations which you wish to make?—No, none.

Mr. *William Long*, called in; and Examined.

Mr. *William Long.*

1489. *Chairman.*] ARE you a pawnbroker?—Yes.

1490. Where?—In Cork.

1491. How long have you been in the trade?—I think about 16 years.

1492. All

1492. All the time at Cork?—Not a pawnbroker all the time at Cork; it is about 16 years since I commenced at Cove.

1493. Are you chairman of the pawnbrokers' society in Cork?—Yes.

1494. What was that society formed for?—I cannot say what it was formed for, but on this occasion we thought it necessary to meet; but there is a committee which keeps us within the regularity of hours particularly.

1495. What other irregularity do they endeavour to prevent besides that of hours?—They do not interfere particularly with any thing else; they generally reprove any thing they may see wrong, but we have had no occasion to do so; if there were any thing wrong, they are ready to do so.

1496. How many pawnbrokers are there at Cork?—I think there are 40 to 45 following the business.

1497. Mr. *Redington.*] Do they all belong to that society?—They do, more or less; there are some more attentive in their attendance than others.

1498. *Chairman.*] Were you deputed by the pawnbrokers to state their sentiments before the Committee?—Yes.

1499. Do you approve of the recommendations which were handed in by Mr. Homan, of Limerick, for the alteration of the regulations of the trade?—Not fully.

1500. In what particulars do you disagree with him?—If I saw the regulations again, I should be more exact in pointing them out. There is one thing in it which I recollect I objected to, that of having goods sold at a certain time, whether the pawner wished it or not, and the pawnbroker was allowed to charge interest for a certain period only; whereas I think that, on the written request of the pawner, they ought to be kept back.

1501. In case that written request is not put in, you see no harm in the pawnbroker being compelled to limit his interest to that number of months which he promises to keep the goods?—Certainly, there is no harm in it; the only thing is this, that it compels the pawnbroker to bring the goods to sale at a certain time.

1502. It will only compel pawnbrokers to bring the goods to sale in case the pawner does not give in a written notice requesting him to keep them longer, and in case he finds it more profitable to sell the goods than to keep them without charging interest for them?—It may be more profitable under circumstances for him to sell them, but a certain class of goods must meet their own seasons; it would be impossible to sell heavy goods at this season, or light goods in the winter season; a muslin gown would sell very badly in a December day, and this would be a bad time to bring blankets to sale; you must meet the season with the description of goods you bring in.

1503. But if you give notice that you will sell the goods at the end of a certain number of months, is it not a great hardship, if, for your own convenience you keep them longer in order to have a better sale, that the pawner should be charged interest for that which is only done for your benefit?—Yes, it may in some instances, but it is an indulgence of which I never heard a complaint; quite the reverse; I always found the public grateful for keeping over their goods.

1504. In case there is an overplus coming to the pawner, do you think that he would feel grateful for having double the amount of interest charged him as his deduction from that overplus?—I think that if he considered it an advantage to have his goods sold, he would request to have them sold, and then he would have an opportunity of receiving any overplus coming to him.

1505. Is not this the practical operation of the trade at Cork, that the person who pawns goods never expects to realize any overplus upon them after the sale?—No, it is not.

1506. What number of cases have you heard of in which an overplus has been obtained by the pawner?—A great many; very frequently; it is a general practice.

1507. Can you show any book in which you have entered the number of times in which the overplus has been paid by you to the pawner?—I do not know that I can, but I believe I may show articles in the sale-book that did bring an overplus.

1508. Will you have the goodness to produce your books?—

[*The Witness produced the same.*]

Mr. *William Long.*

29 May 1838.

1509. Are these your day-book, your release-book and your sale-book?—Yes.

1510. Will you describe your day-book?—The first column is the number of the ticket; the second column, the lot in which the goods are placed; the third, the name and residence of the party pledging; the fourth is the amount advanced; and the fifth is the description of the article.

1511. When you lend a sum of 2*s.*, 3*s.* or 5*s.*, do you exactly enter here 2*s.*, 3*s.* or 5*s.*; and do you ask, from the party pledging, payment of the duplicate at the time of pledging?—We do not; that is the actual sum advanced.

1512. I see here 2*s.* 1*d.* in one instance advanced to Catherine Graham; did you advance actually 2*s.* 1*d.*, or was it 2*s.*, and 1*d.* for the duplicate?—Two shillings and one penny were actually advanced; every amount is entered as the actual amount advanced.

1513. Do you think that she was aware that the advance of one additional penny would oblige her to double the interest per month?—I do not know whether she was aware of it, but it is very likely that that sum of money was a release of some other article, that she gave that ticket to release another pledge.

1514. What amount do you enter upon the ticket when you enter 2*s.* here?—Two shillings and one penny.

1515. Do you calculate the interest upon the ticket or upon the charge in this book?—It is quite immaterial; we charge the calculation upon the ticket.

1516. Then you charge the calculation at the rate of 1*d.* per month for 2*s.*?—Yes.

1517. Mr. *Hutton.*] Then, in point of fact, this book is not a copy of the entry made on the duplicate which you give?—It is, exactly; only the amount of charge for the duplicate is added on the duplicate.

1518. The amount of the duplicate is put on the ticket, and interest is charged on a sum specified in the ticket different from the sum specified in this book?—Different by the amount of the duplicate.

1519. The amount of that duplicate being 1*d.*, has frequently the effect of doubling the charge of interest to the person pawning?—Not frequently.

1520. Sometimes?—Not at any time.

1521. In this case the sum lent is 2*s.*, if you were to calculate one month's interest as upon this entry, it would be one halfpenny?—It would be 1*d.*

1522. The Act says a halfpenny, does it not?—But the Act was passed in English currency, and the advance in English currency raised it above the stipulated sum.

1523. Is not the interest on English currency charged in English currency?—Yes.

1524. And the interest on Irish currency is charged in Irish currency?—Yes.

1525. Therefore the relative proportion of one to the other is exactly the same whether English or Irish?—Yes, but the Act was passed in Irish currency, and the advance of English currency raised it above the stipulated amount.

1526. *Chairman.*] What used you to charge before the currency was changed?—Always the same.

1527. When 10*s.* is lent, what sum do you put upon the ticket?—Ten shillings and twopence.

1528. Are you not aware that by law the sum lent must exceed 10*s.* before the charge of 2*d.* for the duplicate becomes legal?—The sum does exceed it when the duplicate is given.

1529. Mr. *Beamish.*] Do you conceive that at the time of giving the duplicate you are entitled to add the amount of that?—There is no question of it; we have had legal opinion upon it more than once, and it was always the same.

1530. *Chairman.*] Or rather, did the legal opinion intimate to you that the difficulty of getting the penalty under the existing state of the law was such, that you could charge what you pleased with impunity?—By no means; quite the reverse.

1531. Can you produce to the Committee the case and the opinion upon it, and inform the Committee the name of the lawyer who gave that opinion?—I believe it is Mr. M'Carty.

1532. Is that gentleman dead?—He is.

1533. Do you charge any thing for loans of sums under 1*s.*?—No.

1534. A penny for the duplicate?—I charge only 1*d.*; many offices in Cork but one halfpenny for the duplicate.

1535. Mr.

1535. Mr. *Hutton.*] As the trouble of making out a duplicate for 10 *s.* and 5 *s.* is exactly the same, do you see any reason for making a double charge for a duplicate for the higher sum?—The trouble of making out a duplicate is exactly the same; but, when the amount of property is greater, it requires more trouble in storing, and it is for the labour of storing and of making it out that the higher sum is charged.

1536. You are paid for that trouble by the high interest you get upon that sum, and the larger the sum the greater the amount of interest?—The less the amount of interest.

1537. The less proportionally to the amount, but the actual sum is greater?—Yes.

1538. Therefore, as the charge is made for the trouble of storing and of writing out the ticket, do you not conceive that it would be a more just plan to have one uniform price for all tickets?—No, I do not.

1539. *Chairman.*] Will you have the goodness to show the Committee your sale books?—

[*The Witness produced the same.*]

1540. How long has this sale-book been kept?—One auction.

1541. Did you ever keep a sale-book before?—Yes, I have brought the other with me that you may refer from one to the other.

1542. You never enter here the name of the person whose goods are sold?—No, we never do; we merely enter the number, the article, the amount lent and sold for.

1543. What was the result of the sales entered in this book?—The articles upon which 117*l.* 17*s.* 11½*d.* had been advanced by me were sold as entered in this sale book for 104*l.* 2*s.* 11*d.* without charging expenses or interest or ticket money; I lost 13*l.* 15*s.* 0½*d.* on the first advance of that sale.

1544. Besides the amount of labour which you had incurred by that transaction?—Yes, besides the expense of auction and the tickets and every other expense, I was short of the principal.

1545. Will you have the goodness to produce your former auction book?—

[*The Witness produced the same.*]

1546. Will you have the goodness to show the Committee any instance in which you incurred a loss upon the goods sold before the date of the other book?—I have no sale in which I had actual losses but the last two sales; I had no loss upon any sale for these five years except these last two sales; that is if I do not add the expenses; but if the expenses are deducted from the amount received, I think it would then leave a loss.

1547. And if the interest and ticket money were also added, there would be a considerable additional loss?—It would not go any thing near it; I never saw an auction that would pay me as long as I have been in business.

1548. Mr. *Hutton.*] And if you returned the surplus in the individual cases where a surplus was received, your loss would, of course, have been still greater?—And it is still greater than it appears here, for I have returned the surplus in some cases.

1549. *Chairman.*] But, generally speaking, you set the profit that is gained upon one set of articles against the loss which is sustained by you upon others, and, to a certain degree, as the overplus is not always claimed, the balance is more in favour of the sale than it otherwise would be?—That is only when the surplus is not claimed; but there is no instance of it being claimed that it is not returned.

1550. But it is very frequently not claimed?—It is very frequently not claimed, particularly in small amounts, but in large amounts it is seldom left unlooked for.

1551. We cannot see any entry of plate in these sale-books by auction; how do you sell your plate?—Every article pledged in the book is either sold by auction and appears in this book, or is in store; there is no one article comes into the office that is not entered in the sale-book, or it is in stock.

1552. Mr. *Beamish.*] Every thing pledged with you appears in this book?—Yes.

1553. *Chairman.*] Is it the same auctioneer who sells the plate and the soft goods?—No.

1554. How then can you maintain that they are all entered in one book?—The person who sells the plate gives a bill for it when they are small articles; it is the same auctioneer who sells them as the other goods; but when they are large, the auctioneer gives a bill, and it is transferred from his bill to the book.

Mr. *William Long.*

29 May 1838.

1555. But I cannot see that entry in your book; will you have the goodness to show it to me?—Here is a sale of watches [*the Witness pointed out the same*].

1556. But as the names of the individuals to whom the watches belong are not entered, how can we ascertain by looking at this book that the numbers upon the watches may not have been changed, so as to prevent the owners from identifying the articles and obtaining any overplus upon them?—I will show you that; the owner gets a duplicate from the day-book, with the number and amount; the number and amount in the ticket correspond with the advance-book, and consequently he has only to refer to the other to see that it is right.

1557. But in case the number was changed from one watch to another, how could he ascertain, as there is no description of the watch, that his watch was the one that sold for a higher price?—I think if we were to change the numbers on the watches then we may deceive them; but I am not in the habit of doing so, and never knew or heard of an instance.

1558. Do you ever sell articles by retail in your shop?—We do sell articles by retail in the shop, such as hats and shoes and boots; those are the only articles of soft goods; there are plenty of them left from the auction for sale.

1559. But do you not often sell articles in your shop which you do not send to auction?—Only of the description I speak of.

1560. Mr. *Beamish.*] Do all the pawnbrokers in Cork enter into a bond according to the Act?—Yes, every one, I believe.

1561. What amount do they pay to the town clerk for the bond?—Some have paid more and some less.

1562. What amount did you pay?—Seven pounds for each.

1563. *Chairman.*] Has anybody asked you to subscribe money to defray any opposition to the inquiry before this Committee?—I do not think it was with the view of affording any opposition to it; Mr. Butler wrote to me for the purpose of defraying expenses, but he did not mention his intention of affording it any opposition.

1564. Mr. *Hutton.*] What expenses?—His expenses of coming here, and paying counsel, if he should think it necessary.

1565. *Chairman.*] Can you produce the letter?—Not now, I cannot.

1566. Did you show it to the pawnbrokers in Cork?—I did.

1567. Did you send any money?—I did not.

1568. Will you state the substance of the letter?—The substance of the letter was, that this inquiry was to take place, and as he would have to come over, and would be under expenses, and perhaps might be under the necessity of calling in a law agent, he expected the pawnbrokers would assist him in defraying his expenses.

1569. What advantage did he state that he would be to the pawnbrokers that should induce them to defray his expenses?—Nothing more than that he would use his exertions to do so; that he had some interest, and he would use his best interest and exertion to do so.

1570. To do what?—To do the best he could for the pawnbrokers.

1571. Are the pawnbrokers unwilling that this inquiry should go on?—No; I do not think they are.

1572. Are they desirous to see the trade properly regulated?—They would be very anxious to see it; but they were uneasy lest there might be any hostile or unfavourable inquiry take place; that it might be a partial thing.

1573. Mr. *Hutton.*] Are not you of opinion that if the fee of the marshal of Dublin was more equitably regulated in consequence of this Committee, it would be beneficial to the pawnbrokers?—I am of opinion that he is of no use at all.

1574. How much have you paid him?—I have paid him 12*s.* a year.

1575. Have you not paid him more than that?—No.

1576. Have you entered into security?—Yes.

1577. What did you pay him for entering into that security?—I do not know what he got by that; the business was with the clerk of the Crown-office, and I paid 7*l.* for three different securities, one in the county and two in the city.

1578. That is 21*l.* in all?—Yes; 7*l.* for each.

1579. At what time was this?—The first was about 1821 or 1822, the second about 1828 or 1829, and the other not long since.

1580. On what occasions; why should you have repeated that payment?—My first license was for the county, that was in Cove; my second license was for business in Cork, the second office that I opened in conjunction with my brother; he

he withdrew himself, and when it became entirely my own property, I then thought it necessary not to carry on the business in the joint license, for fear I should be doing any thing illegal. Mr. William Long. 29 May 1838.

1581. *Chairman.*] Did you ever send any returns to the marshal?—Never but one.

1582. But you have to pay him 12*s.* every year, as if he received the returns from you?—Yes.

1583. On what occasion did you send that return?—On the occasion of this inquiry coming forward.

1584. That was the first return that you sent him, though you have been in business 16 years?—Yes.

1585. How much capital have you in the business?—About 5,000*l.*; I keep continually employed 5,000*l.*

1586. How many pawns do you take in the week?—About 1,300 or 1,400 at both offices; 600 or 700 at each.

1587. After paying house-rent and taxes, and assistants, how much profit do you calculate that you have upon your capital?—I do not exactly know; I made returns, and I have not brought them with me; it makes me something over 9 per cent., not 9½.

1588. How much do your house-rent and taxes and assistants amount to?—About 360*l.* a year, for the two establishments in Cork.

1589. How much do you pay the auctioneer for selling your goods?—The auctioneer gets 6*s.* to 8*s.* a day for his trouble.

1590. Whether the goods sold amount to more or less?—Yes.

1591. In what class of life is he; is he as respectable as the auctioneers who sell goods of other descriptions?—He does sell goods of other descriptions.

1592. But, generally speaking, are the auctioneers employed by the pawnbrokers the superior class of auctioneers or not?—They are not the superior class of auctioneers in their circumstances, but there are many of them in my mind of as good character and as well-conducted in society as any other class; they may not be in as good circumstances, or in as good grade, but they are fully as high in reputation.

1593. In what way are they employed the rest of their time?—In conducting furniture and other auctions.

1594. Are any of them pawnbrokers' clerks?—There are one or two that were pawnbrokers' clerks; but I consider them the lowest grade of those.

1595. Have any of them been prosecuted lately?—Yes, I believe there have been some.

1596. What for?—I believe for the non-payment of duty.

1597. Do they keep sale-rooms themselves, or do you pay the expenses attending the sale?—One of them keeps a sale-room himself, and in general we take our own sale-room.

1598. Are they a class of persons whom you would consider would be eligible as a check over you, in case you wished to retain any overplus that was derived from the sale of the goods made by them?—I think there are many among them that, if they were in that employment, would do it justly; that is not their situation at present; they have no part in it; they have nothing to do with our returning or not returning any overplus.

1599. Do they keep a book of the sales which they make for the inspection of the pawners?—No, they do not; they take our book to copy from it to make returns to the Custom-house when our day's sale is finished; they will come to the book, and they will perhaps take it home, if we allow it, or, if not, we sit down and copy it off for them, to make returns to the Custom-house; but they are no check upon us.

1600. Do you think that it would be a great advantage if the auction-duty was done away with, and a license fee paid instead?—I do think it would be a great advantage.

1601. What amount of license do you think the Cork pawnbrokers would be inclined to pay?—It would be very difficult for me to say; they are very chequered in circumstances; but I think the Government, who would receive the amount, would be the best judges to fix the amount of the license; perhaps 40*l.* or 50*l.*

Mr. *William Long.*
29 May 1838.

1602. Are some of the pawnbrokers in Cork very hostile to the idea of being obliged to pay for a license?—I consider some would be; those of low circumstances would not be willing to pay a heavy license.

1603. But you think the more respectable members of the trade would wish to see a license of from 40*l.* to 50*l.* required by law?—Yes, I do; but it would be only on the principle of having the auction duty done away that they would agree to it, and on no other principle; if the auction-duty was done away with it would be a great means of inducing them to keep their books more regularly, and particularly their sale-books, and it would be a great means of their selling every thing indiscriminately by auction, rather than having the auction expenses, the duty and the auctioneer.

1604. What length of time do you think that goods ought to be kept before they are sold by auction?—I think goods may be classed in three classes; first, shoes or hats, any thing leather or edge-tools; those are articles that a small amount is lent upon, and are perishable; I think those ought to be sold in six or seven months. The other class of articles, such as soft goods, coats, and other wearables, have a right to be kept 12 months at least; and I think plate, which is not perishable, ought to be kept 15.

1605. Do you think that the interest should be allowed to run beyond the time at which the goods are noticed to be sold?—I think there ought to be interest allowed to run for a month or two after, so as to afford the pawnbroker an opportunity of making a better market.

1606. Is there any thing else which you would wish to state with reference to the subject of this inquiry?—Yes; it has been stated in the first day's evidence, that the sales were not regularly conducted by auction in some parts of the country; as far as my knowledge goes, I think I have a right to contradict it; the auction-sale is and has been conducted in Cove, Middleton, Bandon and Clonakilty; and auctioneers attend from Cork for the purpose.

1607. But do you think that all the goods that are pawned and forfeited are regularly sold at those auctions?—That I have no idea of; but I know that the auctioneers do attend, and auctions are held there; and, as far as regards Cove, I think they have been conducted in the same way there as in Cork, and, I believe, in Middleton.

1608. Mr. *Beamish.*] Are you aware whether the grand jury ever appointed a person as appraiser under the Act?—Yes, four.

1609. Were they employed by the pawnbrokers?—No.

1610. Why not?—The Act of Parliament places the power in the grand jury of appointing auctioneers in any place where they were not before exercised; they misconstrued the Act and appointed auctioneers for Cork; we showed that there was a previous exercise of auctioneers in Cork before the passing of the Act; we produced a license of Mr. Evans, an auctioneer, and we hold now, in the pawnbrokers' chest, his license.

1611. This is in reference to Cork city?—Yes.

1612. It does not apply to the county towns?—It does not, but to places where there was no auctioneer appointed before the passing of the Act.

1613. The grand jury appointed those appraisers for the purpose of acting in the county towns?—No, in the city; the city grand jury appointed.

Jovis, 31° *die Maii*, 1838.

MEMBERS PRESENT:

Mr. William Roche.	Mr. Hutton.
Mr. Young.	Mr. Corry.
Mr. Beamish.	Mr. Redington.
Mr. E. Tennent.	

LORD VISCOUNT CLEMENTS, IN THE CHAIR.

Mr. *John Devlin*, called in; and Examined.

Mr. *John Devlin.*
31 May 1838.

1614. *Chairman.*] ARE you the auctioneer appointed by the county of Antrim?—I am one of them.

1615. Do you sell the pawnbrokers' pledges that have been forfeited in the town of Belfast?—I do.

1616. Is

Mr. *John Devlin.*

31 May 1838.

1616. Is there any other person acting as auctioneer for the pawnbrokers in Belfast?—There are three more appointed, but only myself and another get the principal business.

1617. Who are the others?—One called Todd, and one called John Byrne and John Moore.

1618. What is your rate of per centage and charges?—I was the first person appointed to the situation in the county of Antrim, except that there was a man appointed previous to me who did not answer the end, and he went to America; there was a difficulty about employing us at all; but we agreed to lessen the rate of usual fees, and take five per cent. on the sales.

1619. Does that five per cent. include all charges for advertising, warehousing, entry in books, &c.?—No; the other persons, I believe, charge the pawnbrokers with room-rent for the day they sell.

1620. The question applies to your own charges?—It includes all, except there will be 1 *s.* a day for the bellman, and 1 *s.* 6 *d.* for the porter, which would be about 2 *s.* 6 *d.* a day.

1621. Are those sums paid extra by the pawnbroker?—They are.

1622. Have the goodness to produce the books which you have kept containing an account of your pawnbrokers' sales?—I will.

[*The Witness produced the same.*]

1623. I see here that you omit occasionally to put down either the number of the duplicate, or the name of the party pledging; how do you account for that?—I think some of them might be goods that were at former sales, and then the pawnbroker purchasing them in on that first sale, they come back without any ticket to be sold; and in some cases the tickets fall off the pledge previously to their coming to us at all; they come to us without any ticket, and we cannot frame tickets ourselves for them.

1624. Do people come often to obtain an account of the sale, and ascertain whether any sum is due to them as overplus?—Frequently.

1625. Does that occur once a week, do you suppose?—Perhaps two or three times a day; the office is always open for the examination of the books.

1626. How do you do in cases where there is no name or number entered by you?—Suppose a month's goods will be sold in a certain sale; May's goods are commonly sold that time twelvemonth; if an article is sold in May—for instance, a gown—and there is no number, the other numbers, of course, will appear, and then if there is a blank number, that must be for the gown; if it was 478, or any given number in the column, if that appears blank, it must be the gown of the person who produces the ticket.

1627. Here are two frocks in one place, and in another place two cloaks, without any pawnbroker's name or duplicate, entered close together; how can you distinguish which is which in that case?—Those must have been purchased in at former sales, and brought back to be sold at this sale.

1628. Do you put up a notice in your warerooms, to the pawners, to inform them that they can obtain any overplus that arises on the sale of their goods, by an application to you?—I have never done so.

1629. Should you be afraid you would lose the pawnbrokers' custom if you gave notice to that effect?—It has never been acted on; but I conceive it would be a prudent course to adopt; it has never been acted on in the town, and I could not exactly say what effect it would have.

1630. Mr. *Hutton.*] As far as your own immediate interest was concerned, if you had done that, do not you think you would have become less popular with the pawnbrokers as an auctioneer?—Very likely.

1631. Mr. *Tennent.*] How long have you been appointed auctioneer?—I was appointed in 1826.

1632. What was the mode of appointment, and by whom were you appointed?—By the grand jury of Antrim.

1633. Do you enter into any bonds?—Yes, four bonds, and I lodged my bonds with the treasurer of the county.

1634. You say, in order to obtain your appointment as auctioneer, you consented to lower the fees; what were the ordinary fees?—I believe the fees are stated in the Act of the 26th of George III., and I think they are 1 *s.* 6 *d.* on sums below 20 *s.* and 1 *s.* 4 *d.* on sums above that.

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1635. Am I to understand the fees you receive are less than those to which you are entitled by the statute?—Considerably less.

1636. You say there was a difficulty about your appointment, had you not consented to take that less; by whom was that difficulty made?—By the pawnbrokers; the pawnbrokers did not at first know the nature of it; and they would not employ us regularly.

1637. Mr. *Hutton.*] Did the pawnbrokers sell the goods themselves instead of having auctioneers?—Previously to this they did.

1638. Mr. *Tennent.*] With regard to the lowering of your fees, was that a matter of negotiation between you and the grand jury, or you and the pawnbrokers?—Between the pawnbrokers and me; they said it was too much; they said they could not afford to pay it, and we made a compromise as to the fees; I said I would see if 1 *s.* in the pound would pay me, and they were content to take it at that.

1639. *Chairman.*] What sum do you think per article would give you an equal profit to that which you get per cent.?—It would be difficult to form an estimate of that.

1640. The expense is charged to the pawner per article, is it not?—No; when the pawner comes to me I charge them five per cent. that I receive on the sums, and I put it on the back of the ticket; I wish to explain this; I first put on the back of the duplicate produced by the pawner; for instance, a silver watch, lent 10 *s.* 2 *d*; the 2 *d.* is for the ticket; that might have been pawned in May 1837, and sold in May 1838; the interest would be 2 *s.* 6 *d.*, and the expenses of the sale on that would be 1 *s.* 3 *d.*; take the watch as selling for 1 *l.* 5 *s.*; the expense and interest added together would make it 13 *s.* 11 *d.*, leaving the overplus 11 *s.* 1 *d.*; and when I put my name at the back of the ticket, that is a guarantee to the pawnbroker, and they hand over the overplus.

1641. How do you calculate that 1 *s.* 3 *d.* as the expense of the sale?—A shilling for the 1 *l.*, and 3 *d.* for the 5 *s.*

1642. What would be the expense of the sale on an article which fetched 5 *s.* at your auction?—Threepence.

1643. Is that all you charge?—That is all; that is all we charge to the pawner, or perhaps 3½ *d.*

1644. What is the average amount per article which the goods fetch, which are brought to you for auction?—I suppose they might average about 2 *s.* 6 *d.* an article.

1645. Then your average charge to the pawner is perhaps only 1½ *d.*?—I presume not so much as that; not more than about 1 *d.*; we sell some days 300 or 400 lots of pawned goods; but sometimes Mr. Aikin has plate goods, and there will then be less lots sold, and a greater amount of money.

1646. Do you always put up each individual article separately, or do you lump them together sometimes?—We always sell them separately.

1647. Even although the article should only be worth 1 *s.*?—Yes; if there were 10 gowns, and three coats, and six shawls, or whatever things they might be, we always sell them article by article; at least I do.

1648. Do you think the other auctioneers are equally particular in that respect?—I have heard not.

1649. Mr. *Tennent.*] You mean when a lot of articles are pawned by the same person, and entered in the same duplicate, you sell those articles separately, and not in the lot?—Yes; and I can refer to the book to show that.

1650. Mr. *Roche.*] What is the motive arising for individual sales?—There may be numbers of purchasers in the room who would buy one gown, who would not buy two, or who might buy one coat, who would not buy a coat and a shawl together.

1651. Then you sell them separately for the benefit of the purchaser and for the owner?—Yes; with regard to selling the articles separately, here is an instance where there are nine articles pawned in one ticket, and they are all sold separately.

1652. *Chairman.*] Although you charge but five per cent. to the pawnbroker, does he charge a higher sum to the pledger, or does he make the same charge?—I cannot say for that; if they refer to me, as they do sometimes, I write it on the back of the ticket; the pawnbroker sends me the ticket sometimes, and requests me to state what the article was sold for, and the day; I write on the back of the ticket so much, on such a day; if it is left with me, I do not charge more than the regular amount of fees.

1653. When

1653. When you say the regular amount of fees, do you mean the regular amount that is paid to you, or the regular amount that is chargeable by law?—The regular amount that is paid to me.

1654. Mr. *Tennent.*] How many days in the week have you your sales generally?—Commonly about four; Monday, Wednesday, Thursday and Friday.

1655. Do they take place in the public market?—No, in a sale-room in Smithfield.

1656. Adjoining the public market?—Immediately adjoining the public market.

1657. What system have you for giving publicity to your sales?—I have a blank form of auction bill, and when a pawnbroker applies to me, previous to the sale, I always fill them up, and send two, at least, to his own house, one of which he places in the inside of the office, and the other on the window, and turned out in that way; I wafer two at least, and put them on my own sale-room window, and I cause them to be put about at the market-house and other public places.

1658. Do you advertise in the Belfast paper?—Frequently; if the sales are of any importance, we do.

1659. Do you give any notice to the individuals who are pawners?—Yes; by a blank form of notice, stating that, at the instance of Mr. Aikin, or any one pawnbroker, they are requested to redeem the goods herein mentioned, 14 days after the date then specified, otherwise the goods will be sold by auction, at my sale-room, No. 10, Smithfield, if not sooner redeemed, or the interest paid; and if they do not attend to that notice, the day of sale is sent to them in one of these public auction forms.

1660. After this posting the sale proceeds, in the usual form of an auction?—Yes.

1661. And you indorse the amount on the back of the ticket, specifying the overplus to be received by the pawner?—The goods are brought to my sale-room, and the pawnbroker always attends, and there is a large platform; the goods are not seen before, but I stand and exhibit the goods to the public; there is a large platform for persons to stand on each side, and there is a centre space where the porter goes round and shows the goods; those goods are sold to the highest bidder, the pawnbroker attending and taking an account of the amount of the sale.

1662. Have you known any instance in which the surplus, after being indorsed on the certificate as you state, has been refused to be refunded by the pawnbrokers?—O, no, they would be summoned immediately and brought before a magistrate and fined if they did so.

1663. Mr. *Hutton.*] Have the persons proposing to purchase these goods any opportunity of inspecting them before the moment of the sale?—No, not a great opportunity; we sometimes let persons in if they are wanting a good coat, or the like of that, to try it on; but that is not generally the case.

1664. Are the goods generally brushed and cleaned and prepared for sale?—Mr. Aikin commonly brushes his goods, and some of the rest, because they are better clothes, more valuable than the rest of the things; but the goods that are brought are chiefly general wearing apparel and linen, so that brushing would make no improvement to them.

1665. Mr. *Tennent.*] Is the account of sales generally made out by yourself, or by the clerk?—My own clerk attends.

1666. Is it done under your own superintendence?—Certainly, every night; the credit and the amount of sale must form the amount of what is sold.

1667. Mr. *Roche.*] Do you sell on credit?—Yes; some of the goods are sold to dealers, and the accounts are made up every night.

1668. Those whom you have perfect confidence in their solvency?—Yes.

1669. These people are called jobbers, generally; are they in the habit of almost uniformly attending those sales?—They are; but now they pay all ready money. The goods are altogether sold for ready money at present.

1670. Mr. *Tennent.*] Within what hours are your sales generally held?—In my sale-room the hours of selling are from 11 in the morning till four or five in the evening; we cannot get on longer.

1671. Have you ever held sales of pawnbrokers' goods by night?—I do not do so; I have not had three sales by night since my appointment; the other man sells almost every evening. He holds night sales.

1672. Who do you mean by the other man?—Byrne.

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1673. Mr. *Roche.*] What amount of sales does your book represent you to make in a year in point of money?—I have never added it up.

1674. Mr. *Corry.*] Is the auction duty included in your charge of five per cent., or is that paid in addition?—The purchasers pay the duty to me; the auction duty is a charge on the purchaser.

1675. That is in addition to the five per cent.?—Yes.

1676. Mr. *Tennent.*] You do not indorse the amount of duty on the ticket?—No.

1677. If not indorsed on the ticket, how do you recover it?—Recover what?

1678. The amount of the duty?—It is paid by the purchaser. If a person purchases an article at 4*s.* they pay 4*s.* 2*d.* for it. When the dealer buys 3*l.* worth, it is marked 3*l.* 2*s.* 6*d.* at the bottom of the account for the duty.

1679. Mr. *Roche.*] Do you hand that duty as well as the other account of the sale to the pawnbroker?—I retain the amount of duty myself.

1680. Do you account with the proper officer for that?—We must; we have very heavy bail in for that.

1681. Mr. *Hutton.*] Do you give security to the Excise for the punctual payment of the duty which you receive from the purchasers of articles?—Yes.

1682. Are you obliged to make regular returns to the Excise?—Yes, and I do, every sitting-day.

1683. Mr. *Roche.*] Do the owners frequently or rarely come to purchase their own articles?—I have seen them do so; I have known them purchase their articles cheaper than what they were originally pawned at.

1684. Mr. *Corry.*] You said, just now, 3*d.* was all you charged for an article which sold at 5*s.*; you said "that is all I charge the pawner;" you now say you charge, in addition, the auction duty to the purchaser?—Yes.

1685. Are those the only charges?—That is all that comes off the pawner.

1686. Mr. *Tennent.*] From what you know of the general system of auction sales of pawnbrokers' goods, as practised by yourself and others, is there any material improvement you could suggest in the proceeding of such sales?—Yes, I think there might be; perhaps it would be better to read my views on the subject: I consider an auctioneer, or seller of pawns, should be a person acquainted with the pawnbroking business; I consider another auctioneer would sell pawns very imperfectly, because he would not be acquainted with the value of the various articles which would be submitted to him for sale, and, consequently, great losses would ensue to the pawner; and I think he should take out a general license like any other auctioneer.

1687. Your object for that is, that a pawnbroker has a more minute knowledge of the value of small articles than a general auctioneer?—Yes, of course; the auctioneer should enter into heavy sureties for the just performance of his duties; to keep an office for the registry of all pawns sold by him; and to give, at certain hours each day, a just and true account of all goods he sold, on payment of 1*d.*, by any person producing any ticket or any duplicate.

1688. Is there any charge at present?—There is 1*d.*

1689. What, in reference to the smallest article; an article that has been sold but for 1*s.*?—Yes; and there should be a penalty for refusing to show the books.

1690. Is that 1*d.* each duplicate?—For each duplicate.

1691. If, in the case put to you before, of a number of articles being pawned in the same lot, would you charge but 1*d.* for investigating the entire lot?—Only 1*d.* if there were 500 articles; if there was but one ticket we are bound to look them out and see what they sold for.

1692. Proceed with your suggestions?—I think it would be well that a person of character and good recommendation should fill a situation of this kind; he should have a sale-room in an eligible situation for the sale of the goods. The sale should be conducted at proper hours in the day-time, and to be advertised the same as other auctions; for instance, if there is a sale of furniture taking place, we strive to give it all the publicity possible, and those sales ought to be advertised in the same manner; to enumerate each article accurately, that is, to enumerate and sell each article in the manner I have described.

1693. *Chairman.*] Do you mean in the list which you keep to give an accurate description of each article?—Yes, the same as I have previously shown; I should think it imperative on the pawnbroker, in the case of a watch being pawned, to say, silver, gold, or brass watch, as may be offered, adding the maker's name and number—thus: "Silver hunting watch; Barr, Dublin; number 7,386;" that would be the

inside

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inside number of the watch; should be entered in the pawnbroker's book, and entered the same on the ticket, and when I am selling the watch, the watch ought to be opened, and the number put in my book with the number of the ticket. If the article be plate, with the name or crest on, add a description of the crest, or the initials marked on the plate; and if watch or plate be blank, mark "blank" accordingly in the book "blank watch;" "silver spoons," "blank silver spoons;" the time of the sale of goods to be regulated; the time they will be kept; and I consider it would be wise to make it imperative on the pawnbroker to sell at the time prescribed by law.

1694. Mr. *Corry.*] On what ground do you make that recommendation?—When the articles are kept two long, the amount of interest absorbs any overplus that might come to the pawner.

1695. Mr. *Tennent.*] Do you not conceive also a pawner, anxious to redeem an article, might lose patience in watching the period of its sale when that might be prolonged to an indefinite period?—No doubt of it. I will state another circumstance. There is a law in Scotland whereby the pawner has the right of, I think they call it "cautioning," the pawnbroker by coming with the ticket, and paying 1 *d.* at the end of the twelvemonth, before a witness; if he does that, the pawnbroker is entitled to keep it three additional months longer. The pawner pays the interest for the 15 months, when it is redeemed.

1696. Have you been in the habit of selling goods pawned at Belfast, at any distance from Belfast?—I have; I have sold goods for a man from Antrim and Carrickfergus.

1697. The goods have been removed from Belfast to Antrim and Carrickfergus?—No; they were removed from Carrickfergus and Antrim into Belfast, and sold at Belfast.

1698. Did you find any inconvenience arising to pawners who would be anxious to purchase their own goods at the sale in following them?—Of course they would find great inconvenience; but the pawnbrokers told me it was in consequence of the difficulty of obtaining money in the country that they brought them to Belfast, as they could not sell them there to the same advantage.

1699. Mr. *Hutton.*] Did I understand you right, that you had sold goods which were pawned at Belfast, in Lisburn?—No; I have sold goods that were pawned in Lisburn and Carrickfergus, at Belfast.

1700. You have never sold goods that were pawned at Belfast, at Lisburn?—No; but it was formerly the practice to bring them out of the town and sell them; there have been goods sold at Lisburn and Ballymena, which were pawned at Belfast.

1701. On what ground could that be done?—On the very same ground that is now given for selling them at Belfast; at that time there was a difficulty of selling goods at Belfast; there were not regular sale-rooms established, and they did not know then the nature of the thing so well as they do now; there are country dealers who come in now from various parts of the country, and purchase goods largely.

1702. Mr. *Tennent.*] Does it often occur that complaints are made of the low prices obtained for unredeemed pledges; have the owners complained of the small sums obtained for them?—I have no doubt they might complain; but the goods are sold to a very fair value.

1703. I no not ask this question with reference to casting blame on you; might it not be that goods were sold at an improper season from your place, when they were not likely to bring the fair value?—I have not known it the case.

1704. Do you think that plate goods, and mathematical instruments, and other property of that kind, should be sold on a day different from the ordinary goods?—Yes, I think they should; I have known books selling better at night than any other time.

1705. Are you an auctioneer for other goods, besides pawnbrokers' pledges?—Yes.

1706. What is the amount you charge on the sale of other goods?—Five per cent.

1707. The same as those which you charge to the pawnbroker?—Yes; the same.

1708. Do you not consider the labour which you give is greater in selling all those small articles?—Considerably; and, if I dare offer an opinion, I must say I think we are not getting sufficient remuneration for our trouble, although, perhaps,

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it might be thought I was speaking for myself by saying so; I think it would be better to give the auctioneer a certain sum, and for him to do all that is necessary; to provide the sale-room, pay the porters, and the clerk, and auction bills; it would be to his own interest in that case to advertise them as widely as possible, to procure purchasers; but I think it would be an improvement if the auctioneer was to provide all, and to be paid a certain sum for his services.

1709. Mr. *Hutton.*] Do you know whether pawnbrokers take in goods on Sundays?—I have heard it stated, and I believe it to be true.

1710. Do you know of any instance where an article stolen on Saturday had been found in the pawnbroker's on Sunday?—Yes, the article was found early on Monday morning, and I believe it was stolen after 12 on Saturday night; this pawnbroker also sold spirits, I was told.

1711. *Chairman.*] Are there many pawnbrokers who also keep houses for the sale of spirits in Belfast?—I believe there are three or four.

1712. Mr. *Hutton.*] Do you know whether pawnbrokers keep their warehouses open until 11 or 12 o'clock at night, frequently?—I have seen pawnbrokers, particularly one in my neighbourhood, keep open until 12 and one o'clock at night; they keep open their houses with the gas burning.

1713. *Chairman.*] Is there a pawnbroker at Belfast at present who was imprisoned for six months in Carrickfergus gaol for refusing to give up a stolen coat that had been pawned with him?—A case of that kind occurred; but the party is at present out of business; he was a man I had formerly done business with.

1714. Is there not a man at present in business who has two shops open at the present moment, who was once in gaol for acting in contravention to the law relating to pawnbrokers?—I cannot say exactly; it might be so, but I do not know it.

1715. What is the lowest sum that is usually lent by pawnbrokers in Belfast?—I have heard it stated, and believe it, that they lend as low as 2½ *d.* and 2 *d.*

1716. And are those articles, if forfeited, sent to the auction-room?—They are, indeed.

1717. Do you think there are no articles ever sold by private contract by the Belfast pawnbrokers without being sent to a sale-room?—I am certain there are numbers of them so sold.

1718. Have the pawnbrokers ever been prosecuted for selling by retail without bringing the goods to public auction?—The usual mode is by summons before a magistrate; when they cannot produce an account of the sale, they either settle with the party in that way, or produce another article equivalent in value, and thus make up the matter.

1719. Supposing they had sold the goods after the time has elapsed for redeeming them by private sale, and not public auction, has that infraction of the law been ever prosecuted to your knowledge?—It has; the first auctioneer and myself who were appointed instituted a prosecution, and fined a man in 100 *l.* on different tickets that he had illegally sold; the consequence was, he retired from business and ran away.

1720. Mr. *Hutton.*] Are you aware of frequent prosecutions against pawnbrokers for the infraction of the law?—I know of many cases that have been prosecuted; the parties summoned before the magistrates, I mean.

1721. And of fines having been levied upon them?—No doubt of it; it is an occurrence, I suppose, of every day in the police-offices.

1722. I do not mean to inquire whether the owners of the goods have proceeded for the recovery of their articles, but whether there have been prosecutions against the pawnbrokers for irregularities by persons who are not interested in the goods?—I have known pawnbrokers to have been prosecuted at the sessions, and otherwise, for different infractions of the law.

1723. *Chairman.*] Are the pawnbrokers, who have been frequently prosecuted, still in the trade?—They are; numbers of them that have been prosecuted are still in the business.

1724. Been prosecuted and convicted?—No, they have not been convicted; they have not been convicted before a jury; they have been fined by the magistrates, and continue in business, but I know of no case where a pawnbroker has been convicted by a jury and suffered imprisonment who is in business at present.

1725. Are there any suggestions which you should wish to make?—If the law made it imperative on the pawnbroker to sell at a given time, and he would not sell, I think he should receive no interest after that date; and returns, I think, should be

be made to the local inspector, a person to be appointed under the new law; and the auctioneers should be strictly accountable for their acts, not only for their own acts, but the acts of their clerks or assistants, and the assistants to be sworn. I never sell by an assistant; I sell by myself; but I know there are persons who appoint assistants, and they might as well appoint common coal porters to sell. Mr. *John Devlin.* 31 May 1838.

Mr. *William Frederick Bentley*, called in; and Examined.

1726. *Chairman.*] HAVE you looked into your examination, which was taken by the Irish Municipal Inquiry Commissioners in 1833?—I have. Mr. *W. F. Bentley.*

1727. Have you any remark to make upon it?—No change has taken place since in any of the circumstances. If I were again examined by them, or any other party, I should give the same answer to the same questions.

1728. Do you wish to make any explanation of any of the answers that appear there?—If any answer requires explanation, I should be happy to give it.

1729. Are you still the deputy of the marshal of the city of Dublin, and act under him as auctioneer for forfeited pledges?—Yes.

1730. How long have you held that office?—Between 25 and 30 years.

1731. Were you a pawnbroker before that?—I was, for 10 or 12 years; I was a licensed pawnbroker in the year 1795.

1732. Then you are fully acquainted with the way in which the business is transacted in Dublin?—No man is better acquainted with it; I have been in connexion with them ever since 1795, either as a pawnbroker or auctioneer.

1733. Are you a general auctioneer as well as auctioneer for pawnbrokers?—I am a licensed general auctioneer; but I have not laid myself out for that purpose much; I have sold for the Commissariat Department; but I have had very few other than pawnbrokers' sales.

1734. What is the per centage you charge in other sales?—Five per cent. is the common charge for other sales; and the necessary expenses, such as porters, advertisements, and handbills and clerks; that is the custom.

1735. What charge do you make at pawnbrokers' sales?—The charge laid down in the Act of Parliament is 1*s.* 8*d.* in the pound for all goods sold under 20*s.*; 1*s.* 4*d.* in the pound for all goods sold between 20*s.* and 40*s.*, and five per cent. for all goods sold above 40*s.*, or any one pawn sold above 40*s.*

1736. Do you make any charge, in selling forfeited pledges, for porters and handbills, &c. &c.?—No.

1737. What addition does the charge for porters and handbills make generally to the rate of five per cent., which is charged in ordinary sales?—Do you allude to an outsale, or furniture sale, and not connected with pawnbroking?

1738. Yes?—We should be allowed in Dublin 7*s.* for the clerk.

1739. The question has reference to the per centage; does it amount to one per cent.?—That would depend on the amount of the sale; if the sale be big or little, the expense is the same for porters, advertisements and clerks.

1740. Do you issue the notices to the owners of unredeemed goods which the marshal is required to issue?—That is not my department; I have not to serve any notices to the owners except by public advertisement, handbills and so on.

1741. Do you consider those notices are of any use?—I do not consider them of any use, because there are so many fictitious names and fictitious addresses, that it is not one time in ten, if it were ever so regularly attended to by the person serving them, that the parties would get them.

1742. Do you still continue to carry on your sales at night as you did in 1833?—Yes; the pawnbrokers think it to their advantage to sell smaller things at night, and books, plate and watches; the people who keep shops in the jewellery and watch way cannot think it worth their while to leave their business in the course of the day when there is a chance of selling their own goods, and coming out and purchasing at the sales; but they come when there is no chance of selling their goods at home.

1743. Do you still continue to pay the same sum for your deputation from the city marshal, as you did in 1833?—The same; 3*l.* a week.

1744. Do you not pay more now than you did then?—I have paid more; but I discontinued it for the last six weeks.

1745. How much used you to pay?—Six pounds a week; my appointment is under the hands and seals of the marshal and sword-bearer, at 3*l.* a week for their natural lives, or while they remain in office.

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1746. What induced you to pay 6 *l.* a week for a certain length of time?—During the inquiry of the Municipal Commissioners there was one of the common council of the city of Dublin who made a complaint, at a meeting of the corporation that I was present at, that my profit appeared, from my two sale-rooms, to be about 1,800 *l.* a year, and I told him that was my gross profit; he insisted, however, it was the net; he said, "I think it is immoral and iniquitous that the deputy should make so much more than the principal;" "But," said I, "I have a large capital invested; I have about 4,000 *l.* engaged in the business; I have had 40 years' experience and acquaintance with the pawnbrokers' business, and if the principal was an auctioneer he would not get any thing to sell, for they would not trust him, and he would not have gained the confidence of the pawnbrokers; am I to give up all that long experience and acquaintance and influence that I have had with the trade to the principal, because he is principal?" on which this gentleman replied, "You had better make some private arrangement with him, or I will make it for you, or you will soon be out of office;" this conversation took place with a man of the name of Hynes, a common councillor of Dublin, and he said, "Only that you are a common councilman yourself, I would not speak to you on the subject at all;" on that I said, "Then let it be so;" the Municipal Bill was then before this House; I thought, as it was generally thought in Dublin, that it would pass at the time, or in the course of two or three months at furthest, and, therefore, I imagined it was better rather than have a blow-up in the corporation or elsewhere, or my having a law suit with my principals, who were poor, to agree to give them 3 *l.* a week additional, until I saw that Bill pass; I therefore asked them to dinner at a tavern, and we came to that agreement, that I was to give 6 *l.* a week instead of 3 *l.* but which I have discontinued paying for the last six or seven weeks.

1747. Has this inquiry had any influence in inducing you to exact fairer terms from Mr. Butler?—I have not attempted to exact any terms from either of them; it is only what their deed binds them to.

1748. Do you believe the institution of this inquiry has had any influence upon them in inducing them to agree to leave you in the possession of the office for 3 *l.* a week?—The sword-bearer has been threatening to bring me before the Commons House every week ever since to have that 6 *l.* weekly kept up; I told him to do so, and I would have answered them such questions, in such a manner, as I thought fit, when any of them might ask me questions; however he has not done any thing since in the matter.

1749. Your being a member of the common council seems to have been a check on the exactions of these two city officers?—I am sure it has.

1750. Did you become a member of the common council for the purpose of keeping them in check?—I became member of the common council under the advice of Mr. Serjeant Green, in the lifetime of the late marshal, of the name of Stanley. Stanley, the late marshal, had made use of some of the public money that had come into his hands, and being anxious to replace it, he applied to me to purchase from him 100 *l.* a year of the 156 *l.* a year which I had to pay him, and which I refused to do; but I told him to try elsewhere to sell it; in the course of a week or fortnight he said he could not sell it, and as he could not refund the money to the proper quarter, from whence he had taken it improperly, he said that I should lose my appointment if I did not buy the 100 *l.* a year, and I did buy it, and, from the advice of counsel as to what was fair between us, I gave him 500 *l.* for that 100 *l.* a year, and after the lapse of some years he wrote me a letter, stating that the deeds which were signed relative to that purchase was only done to cover usury, and that I was then repaid; and if I did not resume paying him the 3 *l.* a week again, that he would advertise for another deputy and put me out of office.

1751. Did he venture to do that?—No; I laid a case then before Mr. Serjeant Green, showing him Stanley's letter, and showing him the deeds which were between us; he said to me, "Why, he is a pauper; and although you have his bond by law and equity, what remedy can you have against a pauper; are you a freeman?" "I am not," said I. "Are you qualified to take out your freedom?" "Yes, I was born free." "Then," said he, "the best advice I can give you is to take out your freedom, get into some corporation, try to get into the common council, and, if you are once in the common council, I am very well satisfied you will never hear a word from Mr. Stanley again on the subject." I took his advice accordingly, and I never did hear a word more upon the subject.

1752. After

1752. After you had paid him the 500*l.* for 100*l.* out of the 156*l.* a year which you had to pay him, did you continue to pay him the remaining 1*l.* a week?—Yes, the balance, having purchased from him the 2*l.* a week; but he sold that 1*l.* a week to a lady very shortly after that, and I paid that 1*l.* a week to the lady; I had about 20 per cent. or something better for that 500*l.*, but then I had to cover the insurance for his life; and I became my own insurer at first, but I afterwards did insure his life for 1,000*l.*, and when he died I was paid.

1753. When Mr. Butler became marshal, did he agree with you at once for 3*l.* a week?—He wanted money in hand; he wanted 1,000*l.* in hand, as well as my memory serves me; I would not give it, but I said, "Let me continue as I am until you try if you can get a better market, and when you can, I will discontinue or meet you on terms." I went on for two or three months before we agreed, and came to a final arrangement; I gave him then 75*l.* in hand, and the 3*l.* a week.

1754. If you were perfectly aware that he could not get anybody who would be ready to give him more than 3*l.* a week for the office you held, how was it you were induced to give 6*l.* a week in your subsequent arrangement?—Because I thought it would be for a very short period, and I did not want to have any row kicked up in the corporation about it. After Hynes threatened this should take place, I understood it was intended he should get the marshal suspended, and another put in his place for a short time, and that I should be then put out of my appointment.

1755. You expected that Butler would resign his office for a short time, by contrivance with the corporation, and you would be in that manner displaced?—Yes, and put to the expense of a law-suit.

1756. And after you had been displaced, Butler would be again re-appointed?—That was my feeling; thinking the Municipal Bill would pass in a few months, I thought it was not worth my while to run any risk about it.

1757. You wished the matter should not get published, I presume?—I did.

1758. Have you any bill transactions with Butler at present?—He came to me some six or nine months ago, and he said he was in great distress and hard run; and it would save him a great deal of law cost if I would accept a bill of 200*l.* for him at a certain date. I said, "You know your money would not come to that in that time." "Well," he said, "I cannot get cash for it; I will give my own bill three months longer for the balance, 80*l.* or 90*l.*" He did prevail on me, and I did accept the bill of 200*l.* I had accepted a bill for him on a former occasion for 200*l.* which I paid myself out of the weekly amount; he gave me the weekly receipts; they were not more than half of them due when I paid the 100*l.*; but as they came due I kept the receipts, as I shall now.

1759. Do the pawnbrokers consider they have an advantage in dealing with you from your connexion with the city marshal?—I should think not on this account.

1760. Are they not to a certain degree in his power, by means of his charges for serving the notices for obtaining returns from them, and generally by his influence with the corporation?—I conceive not; I think he is rather under a compliment to them, as they pay him beforehand; they are not in his power at all, as it strikes me.

1761. Mr. *Hutton.*] Could not the city marshal give the pawnbrokers a great deal of trouble in their returns if they were to quarrel with him?—I do not conceive he could; because it is very little trouble to them to give returns if he demanded them. They have no advantage by concealing their returns, that I can imagine.

1762. Then how do you account for the fact of their paying him more than they are entitled to do by law?—They do not pay him near as much as they are bound to do by law. They pay him in advance; his necessities call on him to make a contract with them to give 4*l.* or 5*l.* or 6*l.* a year, and a few of them who do not do much business do not give him as much as 6*l.*, and they give him the year in advance, when as to many of them it is known their payments would come to 20*l.* or 30*l.* if they paid him all. He made the proposition to them himself, and they were in the habit of paying Stanley 5*l.* and since paid Butler 6*l.*

1763. Do you not find you get more business, however, from your connexion with the corporation officers than the other auctioneers?—No, I do not; the great majority of pawnbrokers who sell with me are of different politics to the marshal and members of the corporation generally; they are mostly Roman catholics that deal with me and give me the preference of their business.

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1764. Do the other auctioners sell at the same hours that you do?—Yes.

1765. And have they the same arrangement with the pawnbrokers with respect to paying the money obtained for their goods in advance before it is received from the dealers?—Yes, every one alike in that respect; we should not have a market for the goods if we did not sell them on credit; there are twenty persons as purchasers of pawned goods to one in the trade who would not be in it otherwise.

1766. Then the principal purchasers at those sales are brokers?—They are; two-thirds.

1767. And brokers who could not deal if they did not receive credit?—A great number of them.

1768. If you had to pay no rent to the city marshal for your office as his deputy, could you not afford to lower the commission which you charge to the pawnbrokers?— Certainly.

1769. What objection would there be to any licensed auctioneer selling for pawnbrokers, provided he kept proper regulations with respect to the book of sale?—There could be no objection that I see.

1770. Do you act at the auction yourself, or do you leave the business to your assistant?—I sell occasionally, my son sells, and other assistants.

1771. What security do you take from your assistants that they should make proper entries in the books of sales?—I never knew of any security being given by the clerk for making proper entries; the day the sale is had, generally the pawnbroker and a clerk of his are there; his clerk enters them down as they are sold; the master examines the value of them; going out to see, he gets the value of them at the hammer; my clerk puts them down as well as his clerk, and, at the end of the sale, his clerk and my clerk check one another's books; they begin 3*s.* 4*d.* and 14*s.* 6*d.* and so on; and then when all the items agree, the total of course must follow to agree.

1772. And is your book always kept open for the inspection of the public whose goods have been sold?—Certainly; no one ever applied yet that we were not ready to communicate with and show them what the articles sold for; I suppose half-a-dozen do not apply in the course of the year; not one a month, at all events.

1773. And are your books kept in such a way as that you can readily ascertain what the article sold for?—Yes; we put the articles down as they appear to be, a coat or a cloak or a petticoat or trowsers or waistcoat; if it is a watch, we put down the maker's name and number engraved thereon; and if it is a book, we put the name of the book down, Travels or a Bible, or whatever it may be.

1774. Is the number of the duplicate and the name of the original proprietor entered in your sale-book?—No, I never knew it to be done.

1775. Do you ever find the owner of property attend to bid at the auction?—I have heard that the owners have sometimes bought them cheaper than they could release them; I have heard so, I do not know of my own knowledge; I do not doubt it might be the fact as a solitary instance now and then.

1776. Do pawnbrokers often buy in themselves?—No, they do not; they never seem inclined to buy in any thing they can avoid.

1777. Is the sum for which the goods were pledged marked upon the ticket?—Marked on the ticket; that is, pinned or tied to the pawned article.

1778. Is there much competition for an article after biddings have reached the amount for which the goods were pledged?—That is no criterion; there is competition from the time it is put up until it is sold; as fair competition as ever was in this world at any sale.

1779. Do you receive any instructions from the pawnbrokers to buy them in if the biddings do not amount to the sum specified?—They are always on the spot themselves to bid, and the public know they bid, and they are not dissatisfied at it; but in private sales of furniture, or other goods, if the owner bids, the public are dissatisfied, and walk away in general, and they will not bid; but it has been so long the custom as to pawnbrokers, and it is known so well that they seek to get the value of the goods, that the public do not find fault, nor do the buyers, who Mr. Lindley has been pleased to call jobbers, it being the first time I ever heard that appellation given them.

1780. Are the goods exhibited or cleaned before they are put up to sale?—The goods are exhibited when put up to sale, but not before.

1781. Are

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1781. Are there many pawnbrokers at Dublin who sell some of their goods by private sale, without sending them to an auction at all?—There are.

1782. Do you mean that they sell articles in their shop without sending them to your auction?—I believe they do; some of them do; some do not.

1783. Do you take any steps to insure their sending them to public sale?—No, I do not know any legal steps I could take, not being interested in the goods themselves; not being the owner of them; I do not see that any one could take steps except the owners.

1784. Did you ever hear of the owners taking steps against the pawnbrokers for selling by private sale?—In some few instances they have been summoned for not giving satisfactory accounts of them, and they either give them an article as good as their own, or pay them for it; I never knew any of them be fined for not selling them at auction, or selling them contrary to the letter of the law.

1785. Are you careful in always commencing your sales at the hour specified in your advertisement?—There may not be customers come to the minute, but until we see fair competition in the field we do not begin to sell; it may be half an hour or an hour elapses, but we are always at our posts, and the goods are there; we do not like to begin to sell until we know we have opposition buyers there to give a fair price.

1786. Mr. *Hutton.*] How do you manage with respect to the Crown duty, do you collect it from the purchasers of the goods?—Yes.

1787. The purchaser of each article at the sale pays you the Crown duty?—Yes.

1788. What Crown duty has been usually paid in by you in amount?—I cannot charge my memory; it is on the face of the Excise-books, and on the face of the marshal's return here, I suppose; I furnish the marshal with a return of what I have sold in each month; I should say about 2,000*l.* a month; that is, the duty may be taken upon 2,000*l.* a month; perhaps it may be more.

1789. Do you make a duplicate return to the Excise, and pay the duty to the Excise on that return?—Yes.

1790. Have you your sale-books with you?—I have a sample; I produce this as one of the auction sale-books.

1791. I think you mentioned on one occasion at the corporate inquiry you had 800*l.* a year out of one auction room?—I said 1,800*l.* a year out of the two; 1,000*l.* one, and 800*l.* the other, that is the gross.

1792. *Chairman.*] Your net profits do not amount to so much as that?—No.

1793. Have you ever read the Act of Parliament which describes the duties of the persons selling goods?—I recollect by the 26th of George III. that where there was an appraiser, it was the law of the land; then the pawnbrokers were bound to give the names of the owners, and a list of them; but when the 28th of George III. came into operation, the appraiser was done away with, and the pawnbroker ceased to give the names to the auctioneer.

1794. How could you ascertain the amount for which the goods, of which these are a duplicate, sold for at your auction by reference to your book? [*Producing a pawnbroker's duplicate of an article sold by the Witness, and which was as follows:* "T. Fannin, Pawnbroker. Number 69,945. 59, Marlborough-street, four doors from Britain-street. Lent, 11th February 1836, to Mooney, 25, Talbot-street, 1*l.* 5*s.* 2*d.* on a remnant of silk and a white bustle, to be redeemed in six months or sold."]—I tell the party producing it to get the pawnbroker to mark at the back of the duplicate the day it was sold, and what it sold for, and then they afterwards bring it; I look over my book to see if I had a gown, for instance, sold at 13*s.* 7*d.*; I would show them that, and if they were not satisfied with that, I would go down to the pawnbrokers and compare my book with their book, item by item, and to see that the proper number of this duplicate was opposite the article that sold for the sum named on the back of it; in all my experience of 25 years I never knew an instance where the owner was not perfectly satisfied with the account I gave of it, either before a magistrate or elsewhere, and I am positively sure that they never experienced the least inconvenience or loss; but I do think it would be more correct if I had the numbers down as well as the pawnbrokers, and I shall adopt that course in future.

1795. Is it not the case that, generally speaking, your object is to keep such a book as shall be satisfactory as a record of the transaction between you and the pawnbrokers, or between you and the Excise, but that the party pledging is not expected to make any inquiry into the matter?—The law allows the parties to make inquiry, but very few inquiries are ever made.

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1796. So that you do not consider it worth while to make preparation for a contingency which so rarely occurs, as that of a person coming to obtain information on the subject from you?—I do not think it absolutely necessary, because I can from that book, and comparing it with that same day's sale in the pawnbroker's book, take care that the pawner shall not be defrauded of a farthing, because I would see by the pawnbroker's book whether it was right by mine.

1797. If three or four coats were sold on the same day for different sums coming from the same pawnbroker, and there was a dispute between him and the pawners as to the identity of the article, your book affords the pawner no means of ascertaining what his individual property fetched?—If the number of his duplicate is opposite the article that sold for a certain sum he alleges he got for it, of course we could have no other proof in the world, if the pawnbroker chooses to be a rogue and puts a wrong number opposite it; if the article sells for 20*s.*, and he puts a number opposite it which sells for 15*s.*, neither auctioneer nor any one else could check him.

1798. If the pawnbroker is a rogue, your book does not afford any means of checking his roguery?—No; and I cannot prevent him being a rogue if he was inclined; I cannot prevent it by any way.

1799. Mr. *Hutton.*] You mentioned yourself, just now, that if you had inserted the number in your book it would be a much more complete check on their proceedings?—Yes; but after the day of sale he could alter the number, or become a rogue if he was inclined.

1800. Will you look at this docket of sale, which is the docket of the sale of the articles for which you furnished the duplicate?—

[*The docket was handed in, and was as follows:*]

Sale on the 5th of September 1837.

	s.	*d.*	£.	*s.*	*d.*
Article, remnants of silk	–	–	1	17	–
Commission on 1*l.*	1	4			
Ditto on 17*s.*	1	5			
	2	9			
Interest for 19 months	10	3½			
Duplicate	–	2			
			–	13	2½
			1	18	2½
Loss to Pawnbroker			–	1	2½

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I never furnished this.

1801. You see that account; do you think that such an account as that ought to be furnished by the pawnbrokers to the pawner of the goods?—No, there is an overcharge here on the 1*l.* 17*s.*; instead of being charged as it is here at 1*s.* 4*d.* in the pound on 17*s.*, commission, it is charged for the 17*s.*, at the rate of 1*s.* 8*d.* in the pound, which is an overcharge.

1802. The charge should have been made on 1*l.* 17*s.* in one sum, instead of that being divided into separate sums, to enable the pawnbroker to charge a higher rate of commission?—Yes, and he was cheating the owner by so doing; the auctioneer did not charge in that way to him; he charged him on 1*l.* 17*s.*, 1*s.* 4*d.* in the pound, the 19 months' interest being charged; there is an instance of the evil complained of by the other witnesses, that if they had only liberty to charge 12 or 14 months, there would be something more coming to the owner.

1803. *Chairman.*] Do the articles bought in by the pawnbrokers, whose goods you sell, pay the Queen's duty?—Every one; any article that does not come to as much money as the pawnbroker wishes, if it happens not to bring as much as he thinks it ought to bring, he takes it home; but if we enter it as sold, we charge him the fees and the duty; but if we do not enter it, he takes it home, and it comes another day.

1804. Then articles are frequently put up to sell, and the pawnbroker buys them without their being entered in your sale book?—No; I do not consider they are bought, because we do not enter them; but that occurrence does not frequently happen.

1805. What method, do you think, could be devised of giving notice to the pawner more satisfactory than that which is at present required by law?—I take it, the notice of the time the pawnbroker has liberty to sell, should be in the duplicate; the holder of that duplicate should look to that day coming round, the

same

same as a man would for his bill of exchange; if he passes away a bill at six months or nine months, he knows what time that is coming round; so with the duplicate; if the duplicate were to say, "This is to be sold in six months," the *onus* lies on the holder to watch it; I say, these sales should be advertised in newspapers, hand-bills posted, and particularly on the pawnbroker's window, that the goods pawned from such a month to such a month would be sold at such a time; that, I conceive, would be a sufficient and proper notice to the owner.

1806. As goods might be sold at a loss, if they were not properly classified, and as it would be impossible to say how they should be classified, at the end of 12 months, previously to the sale, do you think it would be practicable to specify the particular day upon which the goods should be sold at so remote a period?—It think it would, at the time they advertise them; they could tell then the day they intended to sell them; they cannot tell, the day they are pawned, what day they will be sold.

1807. But, after they are forfeited, do you think they might be required to tell the day on which they were to be sold?—Yes, and they could tell without any inconvenience.

1808. By writing a notice on the duplicate on demand?—If the party brings the duplicate they could; they are in the habit of engaging with me their days in the year 1838 for the year 1839 as their sale days; we have a small book, with every day in the year written down, lined, and the day of the month, from January to January; the pawnbroker takes the book and writes his name opposite the day in which he wishes to sell in 1839; that he does in 1838; then he knows the days he is to sell; when the time comes round that the goods are forfeited, he could readily tell the buyer, or he could readily placard on the window, that he would sell on such a day, and such a day, goods pawned at such a time; there could be no inconvenience in that, and he could readily give the notice.

1809. Do you think, if that notice was given in that form, that the pawner would be more able to attend the sale, and see that the transaction was a fair one between him and the pawnbroker?—I do think so.

1810. From your knowledge of the trade, can you inform the Committee what interest it is customary to charge on advances of 2*s.*, in Dublin?—It is the custom in Dublin to charge upon any sum from 2*s.* to 4*s.*, 1*d.*

1811. But when the precise sum of 2*s.* is lent, what interest do they charge?—They charge 1*d.* a month.

1812. Do they not enter 2*s.* 1*d.*, as if the pawner had pawned for the price of the dublicate, and so charge interest for a sum as above 2*s.*?—They charge for 2*s.*, and always have, as long as I have known the trade, which is 40 years, illegally, certainly, in that particular; for 2*s.* and 4*s.*, and 6*s.*, 8*s.* and 10*s.*, they have always been in the habit of charging 2*d.* for the duplicate for 10*s.* lent when they ought to charge but a 1*d.*; for 10*s.* 10*d.*, they are entitled to charge 2*d.* for the ticket; but they have been in the habit of charging that for 10*s.*

1813. Do they charge interest also for sums below 1*s.*?—They do after the first month; some charge a farthing after the first month, and some charge a half-penny, and that in sums under 1*s.*

1814. What do you think would be the effect of reducing the rate of interest to the real and legal charge; do you think the pawnbrokers would be compelled to advance a smaller amount on the goods?—I think the real and legal charge that they might now make would compensate them very well, without making any alteration in what they would lend on the articles offered for pawn; and I think they would be perfectly satisfied with that, although they have been in the habit of charging more.

1815. Can you state what is the amount of the proportion between the profit which they derive on their ticket-money, and the profit which they derive from interest?—I believe the proportion which they receive from the ticket-money exceeds the proportion of the interest, in proportion as the pawns are so many under 2*s.*, that is in Dublin.

1816. Are the goods released very rapidly?—I think there is about one-tenth of them left for sale, and about one-twentieth in value left.

1817. Do you think that the pawnbroker loses on the goods that are left for sale, or not?—I think it is the worst part of his trade, and they do lose in general.

1818. Do you think he suffers an actual loss of the principal, or only the loss of his profit on such articles?—I think pawnbrokers in general do not get their principal; some do get more.

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1819. Do you think the average profits of pawnbrokers are very much higher than those of other trades in Dublin?—I think them much less in proportion to the capital they have engaged in such trade; I think the average gross profit in Dublin is about 900*l.* a piece, one with the other; some more, some less; one house, I believe, makes 2,600*l.*, and there are three houses which make about 4,000*l.* a year, and they belong to one man.

1820. Four thousand pounds each?—No, the three houses together; in the house that makes 2,600*l.* a year there is about 16,000*l.* sunk.

1821. Do those houses do the larger class of business; or do they lend upon the smaller description of pledges?—Both; they take every pledge that is offered, the same as any other house.

1822. Do they sell much by retail in their shops?—One of them makes it his trade to sell by retail; and he makes up new coats, waistcoats and trowsers, and boots and shoes, and sells them in his shop, and any goods that he buys in at his own auction he sells there also.

1823. Generally speaking, is their capital invested more largely in loans, or in goods which they have purchased in at auctions?—More largely considerably in loans out upon pledges; except that one house I have mentioned, I suppose there is no one house that has goods bought in at auctions that may exceed 20*l.*

1824. Do you think it would be considered a hardship by the trade to prevent them from selling goods by retail in their shops?—I do not think it would; there is an angry feeling held by people who do sell second-hand clothes with those pawnbrokers who do sell by retail, and they have refused latterly to buy from that one house in particular, which is the only house laid out for those things.

1825. If the law did not allow the pawnbroker to charge any interest on pawns after the expiration of the time which he has printed on the duplicate as the time of forfeiture, do you think that would be beneficial?—It would be beneficial to the owner, and would be no great hardship to the pawnbroker, at least, if you give him a month or two law, because he cannot sell exactly to a day.

1826. Do not some articles deteriorate in value much, after having been a certain number of months in a pawnbroker's store?—Hats and bonnets and working tools do; nothing else in general, except when they keep them too long; blankets or woollen goods may get the moth in them.

1827. Is it not for the advantage of all parties that goods below a certain value should be sold as soon as possible?—They should be sold as near the time the contract is made between the pawnbroker and pawner as possible.

1828. Mr. *Young.*] The beneficial effect of their not charging interest after the time mentioned in the duplicate would be, that the article should be brought to sale speedily?—It would be better so to do, and not to have the money lying idle.

1829. Are there any other recommendations which you could give to the Committee as to the improvement of the trade?—Mr. Homan, Mr. Welsh and me, the other morning, sat for the purpose of arranging that paper which Mr. Homan has handed in.

1830. *Chairman.*] Have you ever heard that it has been the practice of country dealers to purchase goods from the pawnbrokers in Dublin without bringing them to public auction?—I have heard and believe it to be the case.

1831. Is that carried on to any large extent?—I have heard them say that they buy from 5 *l.* worth to 50 *l.* worth at a time.

1832. Without an auction?—Without an auction; there are only three or four, or five in the trade that practise that.

Mr. *Arthur Aikin*, again called in; and Examined.

Mr. *Arthur Aikin.*

1833. *Chairman.*] HAD you any communication with the marshal of the city of Dublin in March last, about the fees which he demanded from you for returns?—Yes, he called on me for the returns and the fees.

1834. Did you resist the payment of those fees?—I did, at first; but I paid him in the end.

1835. Did he summon you before the magistrates?—He did.

1836. What was the decision of the magistrates on the subject?—The marshal said he would fine me for not making the returns and paying the fees; I said I would not give him any; that I had paid him too much, I thought; I was determined to stop, and pay him no more. One magistrate could come to no decision. Then there was a bench of six magistrates; they examined the Act, and they said they

they could not find any place where they thought it in their power to exact a fine of me. They said they would lay the case before the Lord Chancellor, to see if they could fine me. I never heard any more about it; but after that I did give him the returns and fees both. Mr. *Arthur Aikin.* 31 May 1838.

1837. Did he make any inquiry or investigation of your books, to see if they were correct?—He never asked any thing about the books.

1838. Did he ask you for any subscriptions from the trade in Belfast to watch over the proceedings of this Committee?—He wanted me to call a meeting of the trade, and to get money to carry his father's expenses over here, to watch the proceedings of this Committee.

1839. What did the trade do?—They would not give any money.

1840. Is there any person in the trade at present at Belfast who is imprisoned for refusing to give up a coat that had been stolen?—There is.

1841. To what gaol was he committed?—To Carrickfergus.

1842. While he was in gaol, did his business go on as usual?—Always went on.

1843. Notwithstanding his conviction?—Yes.

1844. Has he since opened a second shop?—He has.

1845. Has there been any attempt made to prevent him continuing the busines?—Never.

1846. Do you not think such a circumstance as that must tend to throw some discredit on the trade of which you are a member?—I think it does, greatly.

1847. Do you think the trade would wish that persons, who had been convicted of taking in stolen goods, should be prevented from continuing in the business?—They would, the general part of them.

Mr. *Thomas Shields,* called in; and Examined.

1848. *Chairman.*] ARE you a pawnbroker at Belfast?—Yes. Mr. *Thomas Shields.*

1849. How long have you been in business?—One year and three months.

1850. In what business were you before you entered into that trade?—I was a public and private teacher.

1851. What sum did your fees amount to on entering into business?—Ten guineas.

1852. What did they consist of?—I gave nine guineas to Mr. Clarke, the town clerk, for perfecting the deeds or bonds, and he called on me for another guinea to send my papers to Dublin to get them registered, as I supposed.

1853. Did you resist that payment, and were you aware that 6*s.* 8*d.* is all that the law allows for his trouble in preparing the bonds?—No, I was not aware of that; and had he asked me double the sum, I should have given it; I did not think he would have asked for any thing but what was law.

1854. Did you see the bonds or stamps before you paid for them?—I did not; I got them a few days after I paid for them.

1855. Can you account for the reason why your name does not appear in the return which has been forwarded to this House, as having lodged security with the town clerk?—I do not know the reason of it.

1856. Did you pay your fees to the marshal also?—I was not in the office the last payment that he received; but my son paid it, and gave the returns.

1857. Did you make that payment upon commencing trade, before there were any returns to make?—I have been a year and three months in the business, and he has received 2*l.* from me; 1*l.* when I received the papers, and 1*l.* since; that was about last March; that is the second pound.

1858. He has received 2*l.*, and you have not yet been 24 months in the business?—No; only one year and three months, so that it appears to me the money was paid in advance.

1859. Do the pawnbrokers in Belfast keep the hours which are required by law?—I do not think they do.

1860. Is it a great injury to you in your business, that other houses should remain open after you consider yourself compelled to shut yours?—Undoubtedly, it is so.

1861. What do you think would be practicable as an improvement in the trade of pawnbroking?—I think I have been anticipated in that by others who have stated what occurred to them with respect to a license; a regular appointment of hours, and other improvements that have been mentioned to the Committee.

Mr. *Thomas Shields.*

31 May 1838.

1862. Do you wish that the licenses should be paid for by the pawnbroker or not?—I wish they should be paid.

1863. What amount do you conceive ought to be charged for a license?—In a respectable town, such as I live in, I think 50 *l.* a year; not more.

1864. What beneficial object do you think would be attained by that taxation?—In the first place, I think it would make it more respectable, and likely to make men act more properly, for fear they should be put out of the business after paying such a sum; but when there is nothing paid by the pawnbroker, and no particular notice made with respect to the propriety or impropriety of his actions, he is more liable to make mistakes if he is not a proper character.

1865. Should you have any objection to giving notice to the pawner, on the production of his duplicate, of the day you would proceed to sell any goods which had been forfeited by him?—I have listened particularly to questions of that kind since I have had the honour of being in this room, and there is one idea that has occurred to me this day, in consequence of a great many persons who send articles to the pawn office who do not give in their proper names; some do not wish it to be known that they are under the necessity to pawn; consequently, they will not give in their own but some fictitious name, and, on that account, it would be difficult to give a notice; therefore some general plan, it appears to me, would be much better.

1866. Supposing the pawner were to produce his duplicate, whether the name thereon were fictitious or not, do you think there would be any difficulty in obliging the pawnbroker to write on the back of the duplicate the day on which the sale by auction would occur?—I think all proper men in the trade would do it with great cheerfulness.

Mr. *Cornelius Sullivan*, called in; and Examined.

Mr. *Cornelius Sullivan.*

1867. *Chairman.*] ARE you a pawnbroker at Cork?—I am.

1868. Have you been a long time in the trade?—Going on 10 years.

1869. Will you have the goodness to give the Committee any explanation in your power with respect to the charge that is ordinarily made by the trade in Cork, where it is the practice to enter 2*s.* 1*d.* in every article where 2*s.* only has been advanced, and which enables you thereby to obtain an advanced rate of interest?—I conceive that when the pawner takes out of my shop 2*s.*, that I actually lend 2*s.* 1*d.*; for this reason, that I conceive I am entitled to the 1*d.* for the ticket at the time of the transaction. I conceive it is quite distinct from the interest, because it is fixed and defined,—not so the interest; the interest could not be fixed and defined, because the loan is for an unlimited period. We find in other cases, in the Charitable Small Loan Society, where the time is fixed and defined, the rate of interest is immediately deducted at the lending. For instance, if a person borrows 1 *l.*, there is 6*d.* deducted from the pound, because it is a fixed rate. It is the same with respect to a bill, as to the discount, because there is a fixed time and a fixed amount. When I look at the Act of Parliament, I find, after reciting the table of interest, that it then goes on to say what the pawnbroker has a right to do, to enter in a book; when he does enter it in a book, he is to give a ticket of such entry, and the words particularly are, "for such ticket he shall receive one penny." That I think implies at the time of the ticket being given, that he is entitled to it; not surely at the time when the pawnbroker returns that ticket to him. I think it is at the time when he goes away, and not at the end of an unlimited period. The poor people in Cork are very shrewd; and I think if we were acting wrong, that we should have been set right long since.

1870. Mr. *Young.*] Your argument is not that the payment of the ticket is analogous to discount on the bill, but it is analogous to the payment of the stamp on which the bill is drawn?—It is something like that.

1871. *Chairman.*] The effect of charging for the duplicate at the time when you give it, instead of charging for it when the pawner comes to release his pledge, is this, that if the article valued 2*s.* is left in pledge for one year, the additional interest which you charge him with amounts to the sum of 6*d.*; do you think that is fair?—It has that effect, and the pawner is quite aware of it, and I think it is fair when the pawner is quite aware of it. If the pawner asked me for 1*s.* 11*d.* instead of 2*s.*, I would lend it him as cheerfully as I would the 2*s.*

1872. Are

Mr. *Cornelius Sullivan.*

31 May 1838.

1872. Are you aware that pawners are more frequently in want of 2*s.* than 1*s.* 11*d.*?—I am not aware of it.

1873. How many loans do you make of 1*s.* 11*d.* in the course of the year?—A great many.

1874. Do you not make five times as many of the sums amounting to 2*s.*?—I should think not.

1875. Can you produce your books to this Committee?—I cannot.

1876. You have no means at hand of proving that fact?—No, not by my books.

1877. Do you enter in your book 2*s.* or 2*s.* 1*d.*?—Two shillings, when I give the pawner 2*s.*

1878. But you enter on the duplicate 2*s.* 1*d.*?—Two shillings and a penny.

1879. You charge interest on that penny?—I charge interest on the 2*s.* 1*d.*; I conceive I am giving him 2*s.* 1*d.*; the 1*d.* he would have a right to give me out of the 2*s.*, if he returned me 1*d.* out of the 2*s.*

1880. Do you charge 1*d.* also, in addition to the interest, when he comes to redeem his goods at the end of 12 months?—Yes, I do; I charge him 2*s.*, as appears on the face of the book, in addition to the 1*d.* a month for the time the pawn is in; I charge him 1*d.* for the ticket, which appears on the face of the ticket.

1881. Mr. *Young.*] You enter in the book 2*s.*?—Yes.

1882. You enter in the duplicate 2*s.* 1*d.*?—Yes.

1883. What interest do you charge on that?—A penny a month, in addition to the 2*s.* 1*d.*, which appears on the face of the ticket.

1884. You charge interest as for a sum over 2*s.*?—Yes.

1885. *Chairman.*] You charge ½*d.* a month interest upon the charge of 1*d.* for the duplicate?—Yes, I do, because I conceive it brings it over 2*s.*

1886. Are you aware that that charge is not made in Limerick and some of the other towns in Ireland?—I have heard that to be the case.

1887. Can you see any reason why you should not be limited in that respect?—Certainly we ought when it is clearly shown to us, if it be shown clearly we are doing wrong.

1888. You would not make the charge if other persons in the trade in Cork did not do so likewise?—I would not.

1889. Have you seen the amendments which Mr. Homan has proposed in the state of the law respecting your trade?—I have.

1890. Do you concur in them?—In many of them, I do; and in the principal.

1891. In which do you not concur?—I think that the lower description of pledges ought to be forfeited at the end of a certain time; for instance, any sum on which not more than 2*s.* has been lent.

1892. Without going through the auction-room?—Yes.

1893. Do you think that no interest should be charged after the goods have been more than 15 months in pawn?—I do; and the reason why I think so is, that there ought to be some definite or fixed period put to the transaction, because by the present Act I believe we are not bound to sell at all.

1894. Do you think it would be desirable that a pawnbroker who has been convicted of wilfully acting in opposition to the law should be refused a license?—I do.

1895. And that they should be compelled all to keep the same hours?—Certainly.

1896. Are the pawnbrokers anxious for such alteration in the law as will tend to make the trade more respectable than it is at present, and to remove the stigma that has been placed on it?—The pawnbrokers in Cork are most anxious.

1897. Are there any pawnbrokers in Cork who have been accused of receiving stolen goods?—I am not aware of that.

1898. Are they usually vigilant in stopping persons who are suspected of pledging goods which are stolen?—Very much so; I conceive they are a species of police in Cork for the prevention of robberies.

1899. Have many persons been convicted on their evidence?—Almost every Thursday some conviction or other is had through the means of pawnbrokers; I could adduce many instances myself of convicting persons, in proof of what I have stated, that we are very vigilant in Cork.

1900. Mr. *Beamish.*] Did those prosecutions originate with the pawnbrokers themselves, or were they called in as evidence?—They originated with the pawnbrokers themselves.

Mr. *Cornelius Sullivan.*

31 May 1838.

1901. *Chairman.*] Have you always sent up in the year the returns of your business to the marshal of the city of Dublin?—Never more than once.

1902. Have you always paid him the fee that is required?—Yes, I have.

1903. How much?—Twelve shillings a year.

1904. He did not trouble you for the returns, provided you sent him the fee?—He did not; but I believe, although I am not sure, that I paid him a larger sum at one period than 12*s.* a year.

1905. Has he received a certificate of your bonds having been duly registered with the town clerk?—He has.

1906. Were those bonds duly entered into by you from the first commencement of your entering into the trade?—They were, previous to my paying the fees.

1907. Was the marshal aware of that?—I did not receive the marshal's certificate until last year; I arranged with the deputy town clerk to procure the certificate for me; he promised to do so, but in the meantime he died—a Mr. Busted; it remained over until the marshal inquired of me if I had got his certificate; I showed him the one I had, and I procured his instead.

1908. You were carrying on business some years without having received the marshal's certificate?—Yes.

1909. And nobody hindered you from pursuing the trade notwithstanding?—No.

1910. Mr. *Beamish.*] Were there many others in Cork similarly circumstanced?—I believe there were many.

1911. Do you charge in Cork for stop-tickets?—No; neither do I charge for notices, although I have served many of them; I believe very few in Cork charge for the notice or the stop-ticket; and, in fact, I am not aware that any one does it.

1912. Mr. *Corry.*] Is it generally the custom in Cork to serve notices of sale?—It is partially the custom, not generally; in fact, I conceive it is unnecessary.

1913. *Chairman.*] How do you sell the plate which is forfeited at your office?—I live in a part of the town where there is not a large proportion of plate pledged; I live at the extreme part of it; there is not a great quantity pledged with me.

1914. When there is any plate pledged with you, do you send it to the auction-room?—I have never called an auction of plate; I have let it lie by so long and never touched it until it was in my possession three or four years.

1915. Have you never sold any by private contract?—I have sold it by private contract.

1916. Have you sold many other articles that have been forfeited with you, by private contract?—Very few.

1917. Sometimes you do so?—I have sold shoes, and, in fact, rubbish of that description.

1918. You never sell plate in any other manner?—No, I do not.

1919. Are the pawners often in the habit of coming to you to get any amount of overplus that may be due to them after the sale of their goods?—They have, frequently, and I have returned it always; and I have in many instances, when I was aware of the residence of the pawner, and found an overplus, sent for that person and returned it.

1920. That was more, I suppose, as a matter of feeling with you than a matter of duty?—As a matter of duty; I did not conceive it a matter of feeling; I conceived that I ought to do it.

1921. Are there any means of enabling the pawner to enforce that right, provided you do not see fit to admit it?—When they present a ticket I am bound to show them the auction-book and to show them an account of the sale of the article.

1922. Is the auction-book such a check on you as would prevent the possibility of your concealing the fact if you were so disposed?—I do not think it is such a check as would prevent me; for instance, I may make a false entry, and for that very reason I conceive it would be most desirable to have the *onus* taken off the pawnbroker altogether, and to have some third party who would receive the overplus, and that the pawnbroker might say to the pawner who produces his ticket, "I have nothing to say to it; such a person will account to you for it; he has the overplus, if there is any."

1923. You would approve of the overplus being left in the hands of the auctioneer?—Certainly, if the auctioneer was solvent enough.

1924. Have you any other suggestion you can make for the improvement of the trade?—I am not aware at present; in fact there has been so much said about it that I am not aware that I have any thing to suggest.

1925. What is the charge that the auctioneer makes to you for selling forfeited pledges?—The manner in which I pay my auctioneer is 8 *s.* a day for his services and the room; I also pay a clerk, an assistant and a bellman.

1926. And what charge do you make to any individual who looks for the overplus, as a commission on the sale?—I have charged 1 *d.* to the 1 *s.* on the sum obtained, which, I conceive, to be about the amount of expense of the sale.

1927. But that charge is purely optional with you; it may be more or less?—I believe so; I am not quite sure; but merely to show it is more the interest of the pawnbroker to have an article released than sold; I would state that, at a recent auction of mine, there was a coat sold on which I lent 16 *s.*; this coat sold for 11 *s.* 10 *d.*, and the very next day after it was sold the owner produced the ticket; I remembered the person who had bought the coat at the auction; I went to the quay, that being where the dealer resided; I got back the coat from the person who bought it, by giving 2 *s.* for his profit, and the pawner paid me for it; on the whole transaction, after giving 2 *s.* to the buyer, it left me a profit of 7 *s.* 2½ *d.*

1928. How many months had that been in pledge?—Thirteen months; the releasing the coat would be 1 *l.* 1 *s.* 0½ *d.*; it sold for 11 *s.* 10 *d.*, and I paid 2 *s.*, which made it 13 *s.* 10 *d.*, and deduct that from 1 *l.* 1 *s.* 0½ *d.* it leaves me 7 *s.* 2½ *d.* profit, with the exception of the expense of the sale.

1929. Mr. *Young.*] With regard to the overplus of articles sold at auction, and which is not returned, does it make any considerable item in your profit?—I do not think I have ever pocketed 5 *l.* in that way.

1930. In your whole life?—In the whole 10 years I have been in the trade.

1931. You stated you sold a good many articles by private sale, not by auction?—Not many articles, and those of the worst description.

1932. You mentioned plate; what is the overplus on that?—I conceive I have hardly had any overplus on plate, on account of keeping it so long.

1933. Then you count the interest on that?—Certainly.

1934. Mr. *Beamish.*] Are the pawnbrokers of Cork in the habit of buying in?—They are sometimes, to enable them to sell again.

1935. Are they much in the habit of withdrawing goods when they do not conceive a sufficient sum is offered for them by the public?—They are, frequently.

1936. Do they sell those goods in their shop afterwards, or do they bring them forward at a subsequent period for sale?—They sometimes do sell them in their shops, and frequently bring them back to another auction; at the end of the auction I have frequently had 50 *l.* worth of what we call deposits, the purchaser paying 1 *s.* as a deposit, and buying, perhaps, 3 *l.* or 4 *l.* worth; we have been frequently obliged at the end of three or four months, at our next auctions, to bring these parcels again to the hammer, and re-sell them.

1937. That is in consequence of the parties purchasing at the auction not fulfilling their bargain?—Yes.

1938. My question was, whether the pawnbroker himself bought in the goods, or rather withdrew the goods from the sale, and subsequently sold them in his shop?—He frequently buys them; I know in any case if I conceive an article is not bringing its value, I buy it in, and I conceive it is sold, because it is entered in the auction-book.

1939. Mr. *Young.*] At which do articles generally sell to greater profit; at private sale or at the auction?—I conceive they sell better by private sale.

1940. Much?—I should think much better; some articles.

Jovis, 7° die Junii, 1838.

MEMBERS PRESENT :

Mr. Hutton.	Mr. Lucas.
Mr. Corry.	Mr. Reddington.
Mr. William Roche.	Mr. Ponsonby.

LORD VISCOUNT CLEMENTS, IN THE CHAIR.

Mr. *Thomas Charles Flaxman*, called in ; and Examined.

Mr. *T. C. Flaxman.*
7 June 1838.

1941. *Chairman.*] PRAY are you clerk of the Excise district of Mallow ?—Yes.

1942. How long have you been in the employment of the Excise ?—About 40 years.

1943. How many years have you been in the Excise district of Mallow ?—Nearly eight.

1944. Pray what is the rate of Excise duty upon auctions ?—Upon plate and farming stock sixpence per pound ; upon all the rest 10 *d.*

1945. There is no exception in favour of the pawnbrokers' auctions ?—None.

1946. Do you consider the duty payable by pawnbrokers' auctioneers is regularly paid up ?—I do not.

1947. Do you conceive that it is probable that all the goods which are forfeited to the pawnbrokers in your district are brought to auction ?—I should think not all, some are sold by private hand.

1948. Then you think that the revenue is defrauded in two ways, first by not selling the goods by auction, and secondly by not entering those which are sold ?—I do.

1949. Where do you reside ?—Fermoy.

1950. Do you find the auction duty is more regularly paid there ?—I do.

1951. Is that in consequence probably of your personal inspection of the way in which matters are going on ?—No, I am not aware of that ; some of the auctioneers are more honest than others.

1952. You have an exact list of all the auctioneers, as they are obliged to be licensed by the Excise ?—I have.

1953. Do you suppose that many people exercise the trade of auctioneers without taking out any license ?—There are several who have been discovered lately in the Mallow district.

1954. Do they sell goods for pawnbrokers ?—No.

1955. Pray do you inspect the books which the auctioneers keep ?—Sometimes I demand a sight of them, then they are brought.

1956. Do you find they are entered in such a way as would enable the owner of the goods to obtain a surplus, if any arose upon the sale of their goods ?—No ; I should think not, because the number of the ticket is not down, nor when pawned ; there is only the lot and what it is sold for.

1957. The regulations of the Board of Excise require every auctioneer to send into the Excise Office a detailed list of all the articles sold ?—That is what the law requires.

1958. Specifying the sum which each lot fetched ?—It does.

1959. Is that regularly complied with ?—In Mallow collection it is.

1960. Is that usually done in the other districts ?—It is not in all the districts.

1961. Could you examine the auctioneers' returns of pawnbrokers' sales to the Excise Office here ?—Yes.

1962. Could you inform us whether a detailed list is usually given in ?—For Mallow collection it is, but I cannot speak to other collections, I have not examined them.

Mr. *T. C. Flaxman.*

7 June 1838.

1963. Is there not a record kept of the auctioneers' returns to the Excise Office here?—Yes.

1964. And have you reason to suppose that they are or not regularly given in?—I should think they are not given in.

1965. Do you think it would be possible for the auctioneers to return a precise account of all the lots that are sold in sales, containing so many small lots as there are in pawnbrokers' sales?—In small towns they might, but in a large sale, such as that in Dublin, it would be very troublesome and very inconvenient.

1966. Could you show us the form of return that has been sent in to the Excise Office from Dublin?—I can.

[*The forms were handed in to the Committee.—Vide* Appendix.]

1967. I find here a number of lots are entered, lumped together, and the amount for which they are sold?—The number of lots is not there, only the amount for each lot sold.

1968. Do you suppose that is the way in which they are usually returned to the Excise Office by the auctioneers who are appointed for pawnbrokers' sales in Dublin?—I believe it is.

1969. Do you think it would be practicable or desirable that a more strict system should be enforced by the Excise?—I think it would; without that they never will be able to collect all the duty.

1970. Do you think that it would be possible to enforce a system by which every shirt, shift or pair of shoes should be separately entered, and an extensive inquiry caused by the Excise to find out whether this was correct or not?—It would be a vast deal of trouble, and would cause a great additional expense; there must be an additional number of Excise officers.

1971. Do you think such a small sum as would be levied by that would repay the great additional trouble and expense that would be occasioned?—I cannot speak to that.

1972. How many towns does the Excise district of Mallow comprehend?—Eleven.

1973. Name them?—Charleville, Cloyne, Buttivant, Bruff, Fermoy, Kanturk, Mallow, Kilfinnan, Mitchelstown, Middleton, Youghal.

1974. In those 11 towns there are 22 pawnbrokers, and the amount advanced by them, if the return presented to The House was correct, would be 35,452*l.* 3*s.* 9*d.* for the last year; what was the amount of auction duty?—Forty pounds one shilling and sixpence.

1975. How many separate auctions of pledges were there in Mallow during the last year, and what was the amount of the auction duty that was paid in?—For Charleville, four sales, duty 3*l.* 5*s.*; Fermoy, six sales, duty 19*l.* 13*s.* 3*d.*; Kanturk, three sales, duty 9*s.* 4*d.*; Kilfinnan, one sale, duty 8*s.* 6*d.*; Mitchelstown, three sales, duty 6*l.* 9*s.* 9*d.*; Mallow, six sales, duty 9*s.* 2½*d.*; Middleton, one sale, duty 5*s.* 6*d.*; Youghal, seven sales, duty 9*l.* 0*s.* 11½*d.*; Cloyne, Bruff and Buttivant, no sale has taken place.

1976. There is a pawnbroker at Cloyne who is returned by the marshal of the city of Dublin, to have lent 989*l.* on 8,529 pledges, has there been any auction duty paid by him?—There has been no pawnbroker's sale that duty has been paid for held at Cloyne.

1977. Do you suppose there have been sales upon which you have not received duty?—I am not aware, except of those three places; the other place, I should think, they have settled all the sales.

1978. As there is a pawnbroker in Cloyne, Bruff and Buttivant, how do you suppose the sales of those places were carried on?—I cannot say; I was not aware there were pawnbrokers in those places; I shall make it my business to ascertain when I get home.

1979. What do you suppose would be the proper remuneration for auctioneers for attending those sales specially?—I believe the usual allowance now is five per cent., besides expenses.

1980. Mr. *Corry.*] Would it be more or less than the duty you state, to have been collected?—It would be more than the duty collected.

Mr. *T. C. Flaxman.*

7 June 1838.

1981. Can you form an opinion upon the whole, whether the duty collected by these auctions would fairly remunerate any auctioneer for doing the duty?—I should think not.

1982. Mr. *William Roche.*] Do you mean by that, the auctioneer's fees are barely sufficient to remunerate his personal labour?—I think not; they attend all the day.

1983. In consequence of your idea of the insufficiency of these auction fees to remunerate the auctioneers and the revenue office, would you be of opinion it would be more advisable to impose a license upon the pawnbrokers instead of raising money by auction duty?—I should certainly recommend that, though it would not bring in so much money to the revenue.

1984. *Chairman.*] How much does the revenue derive from the sales of pawnbrokers' goods?—I cannot tell the amount of the pawnbrokers altogether; the whole duty on auctions for the last ten years has not averaged 11,000*l.* a year.

1985. How much does it amount to in your own district?—I cannot immediately say; I suppose not more than 200*l.* or 300*l.* a year.

1986. Does the 200*l.* include sales generally, or only those derived from the sale of forfeited pawnbrokers' pledges?—That includes every description of sale, pawnbrokers' goods and others.

1987. The amount received from the sale of pawnbrokers' goods only was 40*l.*—About 40*l.* 1*s.* 6*d.*

1988. Do you not think licenses might be levied on the pawnbrokers, which would be as profitable to the revenue as the duty raised at present in your district?—Yes, I do.

1989. Mr. *Hutton.*] Do you conceive there would be a probability of that leading to considerable fraud by other persons, not pawnbrokers, sending in goods as if they were pawnbrokers' goods, which being sold, would, of course, be exempt from license; do you apprehend fraud arising from that circumstance?—It might be, but I think it is hardly likely.

1990. Do you think that difficulty could not be obviated by imposing the obligation of an oath or a penalty on pawnbrokers, to sell none but such goods as had been pledged to themselves?—An oath would be better than a penalty; for they would pay more attention to that. The auctioneers formerly used to make oaths, but now they make a declaration; but if they make a false declaration, they are subject to a penalty of 100*l.*, and my opinion is, they don't mind running that risk, which they would not do if the oath was enforced.

1991. Mr. *William Roche.*] Does the Excise take any steps to ascertain that the auctioneers do make a fair and full return?—Very seldom; the officers of the Excise have other business to attend to.

1992. *Chairman.*] In all those sales, was the 6*d.* duty for plate and the duty of 10*d.* in the pound on other articles, separately entered, or were they all put in together for the Mallow collection?—There was no plate sold.

1993. The duty was paid as 10*d.* in the pound?—There was no plate in any of the catalogues.

1994. Do you suppose the plate was all sold by private contract?—I should think there was scarcely any plate pawned.

1995. Whatever plate was pawned was sold by private contract?—Was sold by private contract.

1996. Did the way in which a pawnbroker's auction was conducted at Bristol attract your attention to the system?—Yes; when I was stationed at Bristol, there was a pawnbroker, who used generally to have a fresh auctioneer every time he had a sale; and every article that was sold, as soon as it reached the price for which it was pawned, and perhaps the duty, a person used to be engaged to stand along side of him, to give him a hint to go no further, then he used to knock it down; an article pawned for 5*l.* was sold for 2*l.*; after it reached 2*l.*, 3*l.* or 4*l.*, it was knocked down, and bought by the pawnbroker; but that is not generally the case; I am speaking of that one instance.

1997. Did he sell the goods afterwards by private sale in his shop?—Either that, or sent them to some other place for sale, I cannot say which.

1998. Do the pawnbrokers, in your district in Ireland, sell many goods by private sale in their shops?—I do not know; I cannot speak to that; I dare say there are some sold by private contract; I should suppose there are.

1999. Do

1999. Do you keep the amount of duty derivable from pawnbrokers' sales and that derivable from the other sales, separate?—No; I have got the amount of each pawnbroker's sale, and every date entered in my ledger, the same as it stands in the paper from which I have quoted; but without seeing the account I could not tell whether they were pawnbrokers' goods or not, but as soon as I saw the auctioneer's account, I could tell whether they were pawnbrokers' goods or not, from the circumstance of the articles being so much smaller; and sometimes it is headed, "Sale by auction on such a day, such a place, pawnbrokers' goods;" that is not always the case, but I saw it was the case in several of those. Mr. *T. C. Flaxman.* 7 June 1838.

2000. No other auctions are held for goods of such small value as those which are sold by pawnbrokers?—No.

2001. Mr. *Hutton.*] Have you formed any plan in your own mind for conducting the business of the Excise, so as to avoid those frauds and errors which you say have occurred, as to the auctioneers' duty that have not been paid?—There is no other way of checking it, unless an officer was specially employed to attend every sale, and that would be attended with great expense to the revenue. They have orders from the Board of Excise to attend when they can as a check, and as often as they can, but I am afraid it is not much attended to.

2002. Mr. *William Roche.*] Are you of opinion the recovery of the full and fair return of the duty which the attendance of a revenue officer would enforce upon the auctioneers, would not be equivalent to the expense of the attendance of that officer?—No, I do not think it would.

Mr. *John Judkin Butler*, called in; and Examined.

2003. *Chairman.*] ARE you marshal of the city of Dublin?—Yes. Mr. *J. J. Butler.*

2004. How long have you held that office?—Since September 1831.

2005. Have you read the minutes of your evidence taken before the Irish Municipal Inquiry Commissioners?—Yes.

2006. And also their report, relating to the duties of your office, as referring to your connexion with the Irish pawnbrokers?—I have read my own evidence, but I did not read the report to-day.

2007. Have you read the report?—Yes.

2008. Have you any explanation to make to the Committee, with respect to any thing contained in your evidence, or in that report?—With regard to the sum that is received for the license I was not aware of how that occurred at the time. It is simply this, that under the late Recorder, my predecessor in office, Mr. Stanley, took an opinion of the sum that the marshal was entitled to for granting a license, and his opinion was, there was 5 *s.* for registering the pawnbroker and 5 *s.* for each of the securities, making 1 *l.*

2009. Is it under that opinion you are in the habit of charging 1 *l.* for registering every pawnbroker's license?—Yes.

2010. Is the lawyer's opinion, to which you allude, now extant?—I am not certain. Young Mr. Stanley, son of the late marshal, upon getting the office, I employed him as my clerk at first. I have an impression upon my mind that I have it at home, but I am not exactly certain; I know he gave it to me; and I can write for it, if you please.

2011. I see by your evidence you have occasionally received the sum of two guineas for a license; under what impression did you charge that sum?—I never made any demand; the two guineas I allude to was from a gentleman, I forget his name, who collected the fees at Limerick at the time of Mr. Stanley's death.

2012. Have you never received two guineas since for any pawnbroker's license?—Never.

2013. Do you employ the town clerks in the several towns in Ireland as your agents, to receive the fees that are due to you, and to give pawnbrokers' licenses?—I have no recollection of having employed any town clerk, excepting, I think, Mr. Jenkins, of Youghal, who was kind enough to assist me; but, beyond that, I have no recollection of ever having employed any of them; they generally remit it to me upon sending the return.

2014. It is not by your authority or your connivance that the sums have been paid which have been stated in evidence to be considerably larger than that which the Act allows?—I never made any demand; all those fees were established before I got the office, and had been for many years.

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2015. It has been stated in evidence that the sum of 10*l.* has been paid for these certificates, for which no authority appears in the Act?—I never got 10*l.* for a certificate; the highest sum I ever got was that which I have already stated to the Municipal Commissioners, and that in a very few instances upon my first coming into office.

2016. Are you aware that Mr. Porter, of Tanderagee, within the last few weeks, has paid to your office 10 guineas for a pawnbroker's license?—I can explain that: Mr. Porter, wishing to establish his pawnbroking establishment, sent 10 guineas for the purpose of purchasing stamps, getting the bonds executed, and the fee of the treasurer; all I got for it was 1*l.* My son, who acts as my clerk, filled the bonds, and did all that.

2017. The fee for filling the bond, under the Act, seems to be 6*s.* 8*d.*; how much did your son receive for that duty?—I got 1*l.*, and he managed the remainder.

2018. Is it under a similar arrangement that, in other cases, so large a sum has been paid by the pawnbrokers for the granting of these licenses?—I do not know any thing of that.

2019. Who sends you the certificates, is it the pawnbroker, the county treasurer or the town clerk?—The county treasurer, if for a county; and the town clerk, if for a borough or city.

2020. But by the returns which have been forwarded to the House of Commons, it appears that a great number of pawnbrokers send you returns without having entered into the security, or received a certificate from the treasurer or town clerk; how do you account for having received their fees for returns without their having previously obtained a certificate of having lodged the required securities?—I never received returns from any one who is not registered in my book.

2021. Do you mark on the certificate that it has been registered, and then return it, or do you issue any new instrument to the parties?—Upon receiving the certificate, I grant the license, entering the name of the pawnbroker and the securities, which I return, either to the town clerk, from whom it may come, or to the pawnbroker; whoever it comes from I return it; it is generally the pawnbroker; when they obtain the certificate they send it to me.

2022. We do not see, by the return of the treasurer and town clerk, that all these pawnbrokers have ever received any certificate from them; how do you account for that?—Since I have been in office, I have never granted a license without a certificate; the books will show that.

2023. Have all the pawnbrokers named in your return to Parliament given the requisite securities?—Yes, as I mentioned before, every return that I have made is from my book, where they are registered, and the names of their securities.

2024. Have you ever inquired into the existence of their securities?—I have, in some instances; for instance, I sent my son to the city of Cork last year, and we found a great number of the securities were dead, and we got a great number of them to take out new securities, according to the Act of Parliament.

2025. What was the fee they paid you upon that occasion?—Upon my word, I do not exactly know.

2026. Was it 10*l.* or 1*l.*?—If it was any thing it was 1*l.*; I told the Committee before, I never received more, except in one instance, at the commencement, of two guineas for the certificate.

2027. In case there was only one security to be renewed, should you think it right, under the opinion you have taken, to charge 1*l.* for that?—Certainly not, if there was only one; for instance, if a life dropped, on the renewal of that life, I only charged the 5*s.*

2028. Was Cork the only place relative to which you took the precaution to ascertain whether any similar irregularity occurred?—Cork was the principal place.

2029. Have you got any book containing an account of your son's transactions?—No, except the registry, which shows his exertions in getting the pawnbrokers to give the new securities; they had been very much neglected.

2030. Produce the registry?—

[*The Registry Book was produced.*]

2031. Mr. *Reddington.*] What time did your son go to Cork?—September 1837.

2032. *Chairman.*]

2032. *Chairman.*] Was there a new license granted to the persons entered in this page?—They were not originally entered by me, but all those securities were revised and corrected.

2033. Mr. *Reddington.*] At the date you mention there?—Yes.

2034. *Chairman.*] All the persons entered there got new licenses, and took out new certificates?—I am sure a great number of them did.

2035. And paid a guinea upon each transaction?—No, 5*s.* on each security; that was the utmost; no persons are more up to what the fees are, than they are in Cork.

2036. Mr. *Reddington.*] Can you mention the names of any pawnbrokers in Cork who had licenses prior to 1837?—Jane Bennet appears to be registered in 1831.

2037. Did she get a new license in September 1837?—She got a new certificate; John Weir, Harmer Ellis and Francis Lamb.

2038. In those cases where you have entered no security, did those persons carry on the business?—Those who appear without securities are persons who were licensed before I got the office.

2039. *Chairman.*] At Cork do you require the parties to lodge the securities with the town clerk before you grant the certificate?—Certainly.

2040. By the return which has been sent to the House of Commons by the town clerk of Cork, it appears there are only 24 pawnbrokers who took out new certificates, or altered their certificates in 1837; whereas in the return sent to the House of Commons by you, we find there are 44 names entered as having been registered in the year 1837; how do you account for the fact that you have granted certificates to 44 persons, although the town clerk has not received the securities of more than 24?—I am sure there were certificates granted to no other persons but that portion that was necessary to make them get new certificates, and by reference to the books you will find where the old securities are; of some, of course there was no certificate necessary on that occasion.

2041. But by the return you will see you have entered them as having taken out certificates in 1837 to the number of 44, although the town clerk does not acknowledge more than 24?—You will find by reference that those others were previously registered; their securities had been previously entered.

2042. I refer solely to those whom you have mentioned as having taken out fresh certificates in 1837?—I am sure there were no more taken out.

2043. Did you, or did you not, grant new certificates to the 44 persons named by you in your return to the House of Commons as having been registered in the year 1837?—I can only answer in this way, that the 24 certificates were new certificates taken out, and in the others I supposed the certificates were granted on the old securities.

2044. Then the return which you made to the House of Commons, you suppose was incorrect?—Certainly not, because they were all in my books.

2045. You returned 44 names as having been registered by you in 1837, were they so registered or not?—The new ones were registered, and the others were the old ones; that made the difference; there was that number of pawnbrokers registered and in business in Cork, and all their securities entered; some of the securities of the 24 were dead.

2046. You entered them all as having been re-registered, though in point of fact you did not require that formality?—No, it was rather to make the books regular that it was done than any thing else.

2047. Did you receive fees from 44 or 24?—I am sure only from 24.

2048. Have you any entry in your book which will show that?—I have not; I think if my son were produced, he would give the Committee every satisfaction as to the correctness of what I am endeavouring to state.

2049. Mr. *Hutton.*] Is your son your deputy?—He assists me, and transacts all the weighty business for me.

2050. Is that book kept in his hand-writing?—Yes.

2051. You say you have only received the regular fees from each of these persons, but as those fees were paid to your son, and as it appears from the statement we have had before, that your son received 10 guineas, when you only

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received 20*s.*, may he not have charged in the same proportion for all the entries in that book?—I am sure he did not; he would be able to give you every satisfaction that he did that which was correct.

2052. Can you produce to this Committee any given book connected with the fees received by your son as your deputy, or by yourself, connected with this department of the pawnbrokers?—Yes, I believe I have a book in which every shilling is entered, but it is not here.

2053. In what employment is your son?—He is serving his time in an attorney's office.

2054. What age is he?—About 22.

2055. Was it he that filled Mr. Porter's bonds?—Yes; the stamps alone were 4*l.*

2056. Did Mr. Porter write to you to know what the expense of the bonds and registering the certificate would be, and did you answer him, 10*l.* would be required for that purpose?—Yes, about 10*l.* would do it.

2057. You received that 10*l.* in the first instance?—Yes; but I only retained 1*l.*

2058. How many pawnbrokers' certificates have you registered since your appointment as marshal?—By going over the book I can, by the dates, tell exactly.

2059. Will you have the goodness to do so by to-morrow?—I will.

2060. Mr. *Reddington.*] In each of those cases where you were not registering new pawnbrokers, but merely correcting an old register, where one of the securities was dead, did you require fresh certificates from the town clerk?—Every one that was registered; I do not say they were all registered.

2061. You entered your office in 1832; how does it happen, according to that book, there does not seem to be any renewal of securities, or any attention paid to this department till 1837?—It was upon finding they were so irregular, and not getting any satisfaction, that I sent down my son to inquire into the matter.

2062. It does not appear that any thing was done, in reference to that branch of your department, from 1832 to 1837?—No, not in Cork.

2063. *Chairman.*] By the 41st section of the Pawnbrokers' Act, pawnbrokers are desired to send you a monthly account or abstract of the number of sums lent and the gross amount thereof, which is to be made out on oath; have you got the original returns here?—Yes. [*They were handed in.*]

2064. Are those returns on oath?—No, I do not believe they are.

2065. Did you ever get any return before 1836 and 1837?—Yes; they were not in the habit of sending them, but by perseverance I have got nearly all to make returns.

2066. Are these all you have received?—Yes.

2067. Do you receive the returns monthly, or yearly?—Yearly.

2068. Do you receive two or more years at a time?—One year at a time.

2069. The 42d section of the Act requires each pawnbroker to transmit the return within the next succeeding month after the preceding month is closed, under the penalty of forty shillings; did you ever call for or receive returns monthly?—I never called for them.

2070. Did you prosecute any pawnbrokers who neglected to send them in?—I did not; it was an established rule in the office; in fact there had been no return since the Union to Parliament.

2071. Did you ever present them to Parliament?—Never, until called upon on the present occasion.

2072. Are you aware that the Act of Parliament desires they shall be returned annually to Parliament?—Yes, I am aware that was the original intention, but I acted under the idea, that as my predecessor had not done it it was quite sufficient to have them ready when a special order was made by the House of Commons.

2073. Did you send a special requisition to the pawnbrokers to send a return, as it was ordered by Parliament?—Some of them which had not sent them in I wrote to have them sent up with as little delay as possible; but there were very few that sent them in in time; it generally took from January to March before I got them all in.

2074. Did you cause any inquiry to be made, as to whether they were accurate or not?—No, I did not.

2075. The Act of Parliament allows 1*s.* to the marshal for receiving such returns; it has been stated in evidence that 1*l.* is the usual fee; how do you account

account for that?—The country pawnbrokers generally send 1*l.*; but Cork and Dublin give me 12*s.*, and a good many of them send only 12*s.*

2076. Did you ever demand more than 12*s.*?—Never.

2077. Under what impression do you suppose they give you 8*s.* additional?—It is very hard for me to answer that question; they were all perfectly well aware of the regulations of the Act; it was quite optional.

2078. But by the Act of Parliament, 1*s.* for each return only is allowed, and you have received 12*s.* for only one return; is not that the case?—Yes, as the case may be, 12*s.* or 1*l.*, that is one return, which comprises an account of the whole 12 months. By reference to one of these you will see the whole thing; they are sent at the end of the year.

2079. They do not send 12 returns, but only one return?—Only one return. It was with great difficulty that I could at first get them to comply with the Act, but by degrees they came forward.

2080. In how many cases since your appointment have you received the monthly or yearly fee, without receiving any returns whatever?—In very few instances. When I first commenced they were not called upon, nor had there been any exertion made to get returns; invariably whenever they sent to me I called for the returns; I did my very best to obtain them.

2081. In those cases where you did not get the returns, did you get the fee?—I did, in the commencement of my career.

2082. Who collected your fees for you in the country?—In Cork there was Mr. Macdonald, in Limerick Mr. Costello, and in Belfast the late Mr. Ferguson; in the small towns they remitted themselves.

2083. What was the poundage you allowed to those people who collected the returns for you?—I think Mr. Macdonald charged me 25 per cent.; and there was a Mr. Irwin collected for me in Waterford; he is a pawnbroker, he charged me 1*l.* for collecting.

2084. One pound annually?—Yes.

2085. How many did he collect for 1*l.*?—I think there were 22 or 23 in Waterford.

2086. Do you suppose that he or the other persons whom you employed exacted any fee from the pawnbrokers, in addition for their trouble?—I understand that Mr. Costello of Limerick does.

2087. How much does he charge?—I heard he charged 30*s.*

2088. Of which he only transmits 20*s.* to you?—Yes.

2089. Have you ever received 30*s.* yourself in any case?—Never.

2090. By the 41st section, we find an abstract is to be made of the returns, and they are all to be entered in the registry. Have you done that?—This is exactly the way I have kept the returns that I have received.

2091. You have not entered them in any registry?— No, I had them filed.

2092. Did you ever inquire of your collectors whether the pawnbrokers signed the document containing the returns themselves, or whether they entrusted it to a clerk?—I never asked the question; but I am under the impression that they always signed it themselves; at least I always received them on that understanding.

2093. Did you examine whether they were likely to be an exact account of their transactions?—I had no way of examining them; I did it as far as I was capable of doing it.

2094. By the return you have furnished to the House of Commons, I find that at Dungannon John Slatterie has issued 114,587 tickets or duplicates upon a like number of pawning transactions; and that the sum lent on that number of duplicates is only 718*l.* 6*s.* 8*d.*, which would average a sum of 1½*d.* lent upon each pledge; have you made any inquiry as to the reason of such a palpable incorrectness in his return?—No, I have not; the only thing I have is those returns.

2095. In Cashel we find that William Edward's transactions have been 2,501 in number, and that the amount lent on them is 38*l.* only, which would give an average of 3*d.* for each pledge; can you account for that evident inaccuracy?—That man was only a few months in business; his return is only for a few months.

2096. That will not account for the great inaccuracy which he has shown on the face of this return?—I cannot account for it.

2097. There are other cases of 2½*d.* and 4½*d.* appearing to be the average sums lent from Harmer and Adair; can you account for those?—No.

 2098. Can

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2098. Can you account for any similar inaccuracy?—No, the return that I furnished to the House of Commons was from the returns I received from the country.

2099. Do you consider that the connexion of the office of marshal with the pawnbrokers in Ireland was intended to act as a useful check and supervision of the trade, or was it intended to obtain an income for a necessary corporation officer?—I am sure it was intended as a necessary check upon the trade; I have endeavoured to follow that as far as it was in my power.

2100. Do you think the provisions of the law are useful as they stand at present as a check upon the trade?—Indeed I do.

2101. How far do you consider the duties of your office act as a check on the trade in country towns?—I consider it a check in this way: having registered with me their securities, in the event of any irregularity or fraud being committed, the persons who suffer can through me find out who are the securities to look to for remuneration, if it is not to be got from the pawnbroker.

2102. What check do you think these monthly returns are upon the trade?—I consider those monthly returns merely as a document to be furnished to Parliament, when required to give any information upon it, I do not know of what other use they are.

2103. Have they ever been referred to by any of the public officers in Ireland?—Never.

2104. With reference to the securities, how can you suppose the securities, as entered in your book, are correct, if you never inquired into the state of the pawnbrokers in the city of Cork, from 1832 to 1837?—I took the securities from the certificate of the town clerk; it is upon that authority, and my being satisfied of the solvency of the securities, that I register; that completely lies with them.

2105. Could not the parties injured ascertain the fact of the securities having been entered into as easily from the town clerk as from you?—Of course.

2106. In point of fact, the duties, as far as they relate to pawnbrokers in country towns, do not in your opinion act as a check upon the trade?—Nothing more than in the way I have already mentioned.

2107. Is there any penalty on your omitting to inquire into the solvency or existence of the securities?—No; as I have already mentioned to the Committee, the town clerk or the county treasurer are the responsible persons for that.

2108. Mr. *Reddington.*] What risk does the pawnbroker incur if he carries on business when the security is either dead or left the country?—He is subject to a penalty.

2109. Might he not have been carrying on the trade for five years from 1832 to 1837, as far as your knowledge goes?—I do not think he could; for as far as it was possible for me to make inquiry into the matter, I did; that could only be done by the connivance of the town clerks.

2110. *Chairman.*] With reference to the city of Dublin, in what way do you consider your office acts as a check on the pawnbrokers?—I think with regard to serving notices of the sale of forfeited pledges, it is a very great check between pawnbrokers and the public, and a security to both parties. The pawnbroker sends me a list of the articles as to which the time is up, and then I send notices to the persons who have pawned, that it is necessary for them either to redeem them or pay the interest, or otherwise they are forfeited.

2111. Do you serve the notices regularly?—Every notice I receive from the pawnbroker is regularly served; I keep a man on purpose.

2112. What is the name of the person who serves those notices?—Jennings.

2113. What do you pay him?—Ten shillings a week.

2114. What means have you of ascertaining that he really serves the notices?—In no other way than that I have great confidence in him, and there never have been any complaints made: if when once I received those notices, I should neglect to have them served, and the amount of the articles are served without a notice, I am then subject to the amount of the goods; therefore it was naturally my anxiety and duty to pay great attention to that department.

2115. Were you ever prosecuted for the non-performance of that duty?—Never.

2116. Would an action be easily found against you for non-performance of that duty?—Certainly; if there was any loss I should be obliged to pay it.

2117. If

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2117. If the person whom you employed were to destroy all the notices, how could you detect that he had not served them?—If any accident occurred I should very soon know; the pawnbroker would say he sent a list to the marshal, and I must be able to prove that I served them, or run the risk of not having served them.

2118. Have you any book in which you enter the notices?—I file them; they are on a long sheet of paper; the name of the pawner, the sum lent, the article, and his residence.

2119. You copy this list out into separate notices?—Into separate notices.

2120. And preserve the list?—And preserve the list.

2121. Have you got the file of notices?—It is not here.

2122. You cannot produce them?—They would be very large.

2123. You cannot produce them?—Certainly, I can produce them.

2124. Have you any means of ascertaining whether the pawnbrokers really send you an account of all the goods which are forfeited to them?—No, I have no jurisdiction in that way, but I think, for their own interest, they are very anxious to send me the notices to serve.

2125. As far as the pawnbroker is concerned, if he wishes to elude the serving of the notices, your office affords no means of checking him in the evasion of his duty?—Certainly not; I have no private connexion with their business.

2126. Do you receive the sum of threepence for each of these notices?—I compromise it with them; the great body of them give me so much a year for serving the notices.

2127. How much a year?—Some 3*l.* and the highest 6*l.*

2128. If they pay that fee, and send you no notices whatever, do you object to their proceeding in that manner?—My whole object has been, whenever they agree to settle in that kind of way, invariably to recommend them, and to call upon them to supply me with the notices; and I have told them it was a protection both to them and myself to have the notices served; I have left nothing undone to get them to do it; that sum would not half pay if they were to pay for them all as they sent them in; it would come to a large sum in the year.

2129. In point of fact, do not some of them pay the fee without sending you notices?—There are one or two who serve very few notices, and some immense quantities.

2130. Point out to the Committee how your office can be considered as a check upon them, in case they do not choose to serve notices upon the parties whose goods have been forfeited?—The only check is what I have already stated to the Committee; that in the event of any irregularity being committed, by applying to me, I may be able to say whether they have given me notice to serve; and if they have not, then the persons who pledged their goods can at once come down upon the pawnbroker; my evidence is quite sufficient to assure them a full remuneration to the amount of their property.

2131. Has that check ever taken effect in any single case?—Yes, it has, in a very large case.

2132. State that case?—Mr. Parks, I believe it was for more than 100*l.*, omitted to serve the notice; and, upon my proving before the magistrate that he had not sent me the notice to serve, he was obliged to pay and settle with the person whose property he had sold without giving notice.

2133. Did you receive any remuneration for giving that evidence before the magistrate?—None.

2134. Can you state any other case in which you have been useful in detecting the omission of pawnbrokers?—No, I do not know that any other instance has occurred.

2135. Do you enter in a book the fact of the persons to whom the notice is left having left their lodgings, and not having been found?—No.

2136. Are you paid in advance yearly, or more than one year, by any of the pawnbrokers?—Only yearly.

2137. Can you state any other way in which you consider your office acts as a check on the pawnbrokers?—That is the only way that strikes me.

2138. Do you consider the monopoly which you exercise as auctioneer of forfeited pledges to be useful to the public, or do you consider it merely as a perquisite attached to your office?—I consider it useful to the public.

2139. In what way?—As a fair mode of disposing of property; the sale-rooms are in a very conspicuous place, at least the one that I am connected with, in Bride's parish, opposite the church: the sales are all open, and it is a very large sale-room.

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2140. Do you consider it would be an advantage to the public or to the pawnbrokers, that they should be able to send to other auctioneers besides you?—It would give them greater facility, I suppose, in disposing of their property.

2141. Which would?—I think it would be better for the pawnbroker, if he had the liberty of sending them where he pleased; I do not see how it would benefit the public, or the creatures who are more interested in the matter.

2142. If the pawnbrokers' pledges were sold at a cheaper rate by the auctioneer, would not that be a benefit to the persons who deal with the pawnbrokers?—Do you mean the purchasers or the unfortunate persons whose property is sold?

2143. The pawners?—Less expense in selling must be better, because there will be a greater chance of there being an overplus.

2144. Do you know any instance in which any overplus has been obtained from the auctioneer employed by you?—No, I cannot say I do.

2145. Did you ever inquire into the way in which the auctioneer employed by you transacts his business, as between the pawnbrokers and the public, and whether he is careful in entering the sales in such a way as to give publicity to the fact of an overplus having arisen, which is payable to the pledgers?—Not beyond attending occasionally, looking on at the disposal of the goods; since I have been in office, I never heard the slightest complaint against Mr. Bentley.

2146. It is stated in the report of the Commissioners for inquiring into the Municipal Corporations, that "the appointees of the office, by the system of farming them to the assistants, reduced them to places of sinecure emolument to themselves, abandoning all attention to the conduct of an establishment which, if it be permitted at all upon the present exclusive system, ought to be watched with vigilance for the protection of the poorer classes of society;" do you consider your having the appointment of the auctioneer of forfeited pledges in any other light than as an advantage of sinecure emolument to yourself?—It has always been a practice in the office, at least my predecessor, and, I believe, who ever was before him, to farm it out.

2147. Do you consider it in any other light than as a sinecure?—I have had nothing to do with it beyond going to the sales; and having such confidence in Mr. Bentley, I did not think it necessary for me to interfere beyond that; but certainly if any thing went wrong I am the person who would suffer.

2148. Mr. *Reddington.*] Do you consider the income you derive from it, considering the risk you run and the trouble you take, is extravagant?—I do not consider it extravagant, compared with what are the profits of the office of my deputy.

2149. What is your bargain with your deputy-auctioneer, Mr. Bentley?—He pays me 6*l.* per week.

2150. He stated here the other day that he paid you but 3*l.*?—Three pounds was the original agreement, but at a meeting of the corporation, they conceived it rather extraordinary that the deputy had a large income and the principal a small one; and we had another bargain, and Mr. Bentley allowed me 6*l.* per week.

2151. Mr. Bentley, your assistant, runs some risk and incurs much trouble; whereas, by the evidence you have given, you have divested yourself of both risk and trouble in the affair?—I have no great trouble, indeed, except what I choose to impose on myself; the thing is all done by Mr. Bentley; there is no disguising the fact, it always has been the practice of the office, long before I got it.

2152. Can you increase or diminish the weekly payments from Mr. Bentley to any amount you please?—I might decrease it, but I have not the power of taking more.

2153. How did you manage to increase it to 6*l.*?—I mentioned before, it was the act of the corporation, not mine; they conceived that the deputy having so large an income, that I did not get what they conceived a fair proportion, and we then made an agreement between ourselves, and Mr. Bentley agreed to give me 6*l.* a week.

2154. Was not your agreement with Mr. Bentley to give your deputation of the office for 3*l.* a week during your continuance in office?—That was my agreement.

2155. How would he be compellable to pay 6*l.* a week?—I cannot account for it; he paid it not by my asking; if fortune fell in my way, I would not object to it.

2156. Was not this the case, that you intended to resign your office in case Mr. Bentley had resisted, and to get him turned out of his deputation by your successor?

successor?—Certainly not; I could not have acted in that way to Mr. Bentley; I made the agreement with him; nobody would ever submit to such a thing as that, nor was it ever proposed.

2157. Do you consider your office in the light of an annual office, or are you to be marshal of the city of Dublin for life?—I consider it is for life; there has never been an instance of any person being removed, except for bad conduct, and no instance of bad conduct has ever occurred; if any Member of the House got up and demanded a ballot, of course they have the power of putting it.

2158. You are removable at the pleasure of the corporation in any year?—They might outvote me.

2159. Practically speaking, they do not exercise that right?—They do not; the original charter gave the office of marshal for life, and some of my predecessors were elected for life; I consider myself so.

2160. Mr. *Hutton.*] You are not, in point of fact, elected for life; your appointment was made subject to ballot every year?—I don't say subject to the ballot, but they had the power of the ballot.

2161. Was that under the new regulation made previous to your appointment?—That was the way that my predecessor held the office, and he held it for many years.

2162. Mr. *Reddington.*] Cannot you tell, by reference to your books at any time, the number of pawnbrokers in business in Ireland?—Yes; those very returns would answer that question.

2163. Could you, from your own books, be able to do that?—Yes.

2164. How long is it since you first began to send this form of return?—Three or four years; I found it necessary to do that, as it was great inducement for the pawnbrokers to do, for ignorance prevented a great number doing it; but since the adoption of that plan, I find the returns sent more regularly.

2165. Was not the first circular sent in 1836?—I was in the habit of sending a circular, requesting they would make returns from the commencement of my office.

2166. Still you can only produce returns for the two last years?—Yes, there are returns for every year.

2167. Not in those forms?—That was an act of my own, by way of inducing them to become regular and saving trouble.

2168. I see the following sentence in the circular sent by you to the pawnbrokers in Ireland: "I have now to impress upon you, that a perseverance in the same strict line of duty is the surest method of continuing to the trade the benefits resulting from the present form of legislation." You therefore conceive that the trade would be interested in preserving the present form of legislation?—Yes, the great inducement I had in writing that letter was to enforce the returns.

2169. Do you consider it equally beneficial as regards the public?—I think it is a very good regulation; the only thing that might be improved, is some little alteration in the rate of interest.

2170. That is the only improvement you are prepared to suggest?—That is the only improvement that I can see.

2171. Mr. *Hutton.*] You mentioned, you thought those returns were a great check in the case of country pawnbrokers; we have it in evidence before us, that this person, who alleges he signs this return, has been dead for many years before the date of the return?—If it is so, it is an imposition that has been practised on me; but I am not cognizant of the fact.

2172. *Chairman.*] You stated in your examination before the Municipal Corporation Commissioners in December 1833, that you were preparing a return to Parliament, agreeably to the statute; why did you neglect to send that in?—I was collecting them in that kind of way; subsequently I found the thing had never been practised since the Union, and I was given to understand it would be quite sufficient if I was prepared to furnish them when called upon by Parliament; that was the impression under which I acted.

2173. Might you not as well admit at once that you conceive that the duties of your office, as relating to the pawnbrokers, were more for the purpose of giving you a certain income as an officer of the corporation, than as giving information either to Parliament or to the public, or the trade of pawnbrokers?—I cannot admit

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that; I think I prove it, because I was enabled now to furnish the information required by Parliament.

2174. Mr. *Ponsonby.*] Has not a great deal of the information you furnished, been found not to be strictly correct?—Not that I am aware of.

2175. I don't mean that it is your fault, but that you have been imposed upon by some of the returns?—The question which was put to me by saying that the individual who signed that was dead, that was an imposition practised on me.

2176. As you had no means to detect that, you cannot say but that many of the other returns are equally fallacious?—I cannot admit that generally, because we have had a particular investigation of almost all the towns in Ireland.

2177. Have you any means of ascertaining the truth of the returns that are made to you?—Nothing more than from what come from the pawnbrokers.

2178. Mr. *Corry.*] Do you consider that, under the Act of Parliament, you are called upon to inquire into the accurateness of the returns?—No, I never considered that; the only way I could inquire into that, is by going down to the spot and making them produce their books.

2179. Your duty is merely to register their returns?—Yes.

2180. *Chairman.*] What are your other duties as city marshal?—I execute all executions under the process of attachment; for instance, when goods are seized under the city process, they are deposited with me as marshal, and if the parties do not settle the business within 21 days they are then run to execution, and upon receiving the execution (the same way as the sheriff), I proceed to sell.

2181. Are you a state officer of the lord mayor?—Yes.

2182. Then you conceive, probably, your duties altogether may not be overpaid, although your duties as far as they relate to the trade of pawnbrokers may be so?—I hope the Committee will not ask me to admit I have been overpaid; I am very well paid; I have got the office as it is.

2183. Was there any threat held out against Mr. Bentley by a person of the name of Hines, that if Mr. Bentley would not increase the weekly rent to you that certain measures would be taken against him?—There was a meeting of the corporation, and Mr. Hines took a very active part; but I don't exactly recollect that there was any threat, but it was a recommendation that we should arrange the matter between ourselves; with regard to that I was no party to the matter, because having, as I said before, made my agreement with Mr. Bentley, I conceived myself bound by it.

2184. Did you take no part in preventing his interfering between you and Mr. Bentley?—I had no power, because I had no voice in the corporation; when I was appointed to the office, I had no vote.

2185. Did you make any exertion to prevent Mr. Hine's from acting in this manner?—No, I did not interfere in it publicly.

2186. How do you account for Mr. Hines interfering between you and your deputy; it seems to be an affair between you and your deputy, and in no way connected with the corporation; how do you account for that interference?—What led to it, I believe, was, the report of the municipal inquiry, with regard to the large amount of Mr. Bentley's emoluments; then the meeting of the corporation conceived, as I have already stated, that he ought to pay me and Mr. Finley 100*l* more a year.

2187. Mr. *Ponsonby.*] Do you mean the Committee to understand that the weekly sum paid by Bentley is fixed by the corporation, and not matter of private agreement?—It is a private agreement, as I have already stated; when this interference took place, they left the matter to be arranged between ourselves.

2188. What object could the corporation have in interfering between you and Mr. Bentley?—I cannot say, except that they conceived I did not get a sum equivalent to the profits of the office.

2189. Was it not in consequence of any representation of yours to them?—Certainly not.

2190. As far as you were concerned, you were ready to leave it at the old rate of payment?—Certainly, as I have already said, I made a bargain which I could not depart from.

2191. Was

2191. Was Hines any friend of yours?—Quite the reverse; we had not spoken for many years; I can assure you it was not an act of friendship on his part; I am not honoured with his regard or his good opinion.

2192. *Chairman.*] You name, in the general return of Irish pawnbrokers, several persons who do not state the sums lent by them during 1837; have they paid you the usual fee?—Some have not even paid or sent in the return.

2193. You name in the general return of Irish pawnbrokers several persons who did not state the sums lent by them during 1837; have they paid you the usual fee?—I dare say the greater number of them have.

2194. Why did they not send the return then?—I cannot account for it; I wrote to them; I did every thing in my power to get them.

2195. They sent you the fee, but not the return?—I am sure they did.

2196. Have you any power under the Act of compelling the return?—Yes, I think I have the power.

2197. Have you prosecuted them for not complying with the Act?—No, I never did.

2198. Mr. *Hutton.*] Your attention was called by the Municipal Commissioners in that inquiry, in 1833 especially, to the lawful fees which you are allowed by Act of Parliament, but notwithstanding that you seem to have continued to take more than those fees?—They have been regularly sent to me in the way I got the office, without my interfering.

2199. Notwithstanding the recommendation of the Commissioners not to take more?—I never demanded more; it was the established custom for many years.

2200. Do you recollect any circumstances that occurred with respect to Mr. Brophy at Dublin, a pawnbroker, having been made liable to the owner of forfeited goods, who had not received notice of the intended sale of his property, although Mr. Brophy alleged that he had given you notices to serve?—I have no recollection of any such thing, because if I had done that, if there had been any loss, I would have had to have paid it.

2201. *Chairman.*] After Mr. Hines had made some allusion in the private committee of the corporation of Dublin to the rent which Mr. Bentley paid, you being insufficient, did you engage with Mr. Bentley in any bill transactions which induced you to give up all chance of any increase to your monthly rent?—Certainly not; Mr. Bentley has on one or two occasions, when I wanted an advance, accepted a bill for me, and stopped the receipts to meet it, but never under any other motive than my having asked him to oblige me, and he has obliged me.

2202. How long did he continue to pay you 6*l.* a week after Mr. Hines's interference?—I am paid up to this moment, by his having accepted a bill for me; the bill will not be due until September.

2203. You are paid up at the rate of 6*l.* a week?—Yes.

2204. Shall you continue to take 6*l.* a week from Mr. Bentley?—Certainly.

2205. After the bill becomes due?—Yes, I think so.

2206. After the bill transaction is concluded?—I do not think he will refuse it to me.

2207. Was the agreement entered into between you and Bentley made at a dinner after Mr. Hines had spoken to the corporation about the insufficiency of the rent he paid you?—Mr. Bentley invited me to dine, and also Mr. Finley, who was the other officer of the sale-room; it was there I made the arrangement.

2208. And that arrangement holds good still?—It has held good up to this moment, notwithstanding the accommodation I have lately received from Bentley; I beg leave to explain that those bills were merely an advance; I drew on Mr. Bentley for what sum I might want, and I allowed him to hold back the weekly payments to meet the bill; but there was neither increase or decrease in the thing, good, bad or indifferent.

2209. Though you considered your private agreement for 3*l.* sacred, yet you continue to receive 6*l.* a week?—So long as he pays it to me.

2210. Do you think that he will continue to pay you 6*l.* a week, after your declaration here that you consider yourself bound by your private agreement to ask him for only 3*l.* a week?—I considered myself bound at the time for 3*l.*; it was not my asking to increase it, but now having it increased, it remains so.

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2211. Mr. *Ponsonby.*] Is Mr. Bentley's office recognised by the corporation?—It is under an Act of Parliament that I appoint Mr. Bentley.

2212. Does Mr. Bentley hold an office under the corporation, or does he merely hold a private appointment under you?—I consider him my deputy.

2213. He is your officer?—Yes.

2214. His salary would be according to your pleasure?—Exactly.

2215. Then the corporation has nothing whatever to do with his salary?—It is recognised that I have the power to appoint a deputy, and I have appointed Mr. Bentley as my deputy; he holds it by the same tenure as I do; so long as I hold the office, he does.

2216. He holding an office under you, has had his emolument fixed by the corporation?—His emolument is casual; it depends upon the amount of sales. The power that is given me to appoint him is derived from the corporation.

2217. You did not appoint Mr. Bentley by any right which is in the corporation of Dublin, but under the Act of Parliament?—Under the Act of Parliament.

2218. Then, so far as he is your deputy, he is only your deputy under the Act, not under the corporation?—I conceive, as I hold under the corporation, he is still my deputy under my appointment by the corporation; he is a member of the common council also.

2219. He is not appointed by the corporation?—No.

2220. But by you, as deriving your power under a special Act of Parliament?—Yes, exactly so; which, of course, is conferred on me by the corporation.

2221. What is the name of the sword-bearer?—William Henry Finley.

2222. Has not Mr. Bentley discontinued paying him 6*l.* a week for the last six weeks; does he not only pay him 3*l.*?—That is all he pays him; and Mr. Bentley threatens to do the same with me; I do not know whether he will or not.

2223. Mr. *Ponsonby.*] When Mr. Bentley was appointed by you, was it on the understanding he was to hold the office as long as you did?—Yes; Mr. Bentley had been so long in the office, and had always conducted it so well, that I was recommended to appoint him; and I found him most correct and most honourable in every transaction.

2224. You did not consider the corporation had any thing to do with the appointment?—I had full power to do it; they left it to myself to make what private agreement with him I thought proper.

2225. *Chairman.*] Did you try, some time after the appointment, to get some other person to hold the office, and did you find there was no other person who was willing to give you a larger sum than that which Bentley offered?—I never asked any individual, because having previously known Mr. Bentley, I conceived I could not be in safer hands.

2226. Mr. *Hutton.*] Did you write a letter, in January last, to Mr. Long of Cork, a pawnbroker there?—Yes.

2227. Is that the letter?—It is.

[*The following Letter was then put in.*]

Dear Sir, Dublin, 19 January 1838.

I am in receipt of the 16th instant, relative to the attack about to be made on the pawnbrokers of Ireland by the petition of Mr. Barrington, presented to Parliament by Lord Clements, calling for an inquiry into the system to which I was quite alive, and you have only anticipated my intention of addressing the members of the trade on this very important subject; as I am quite aware that any alteration in the present mode of conducting the business will not be of use to the interest of the public, but will be fatally destructive to the pawnbrokers of Ireland. Under all the circumstances of the case, I am determined to use any exertion in my power to protect them; and as my interest is also concerned, I have determined to proceed to London, on the 6th of next month, for our mutual benefit; and to have a person to watch the movements of those who are seeking to establish alterations uncalled for, is absolutely necessary: I therefore offer my best services, and will, at all times, attend to any communication from the trade; and, on my arrival there, will forward you my address, together with all the information I can by possibility obtain. I have my reason to expect I will be able to procure the support of many influential Members of Parliament, both in the Upper and Lower House, who, I trust, will endeavour to see justice done to all parties. My residence in London will be attended with expense, and as I may have

occasion

occasion to consult professional men, I expect that every pawnbroker in Ireland will contribute to enable me to be placed in a position to meet any difficulty that may arise. Mr. *J. J. Butler.*

Requesting your reply, believe me, my dear Sir, very truly yours, 7 June 1838.

John Judkin Butler.

P.S.—My son, who had the pleasure of so recently seeing you in Cork, has left town for Belfast, to call a meeting of the trade on the subject I have written on; when he returns he will have great pleasure in furnishing you with the list of the members of the trade you require.

J. J. B.

William Long, Esq.
(Addressed, in haste, Mr. William Long, Mallow-lane, Cork.)

2228. Among those persons to whom new licenses were granted in Cork, the first two, Jane Bennett and Henry Bible, they are entered in the list as if they had given new securities; the names of the securities are the same as the former ones; have you charged them for the register of new securities?—Certainly not; I am sure I did not; it was my son transacted it, and I am confident he did not do any such thing. Twenty-four was the only ones that were annually registered.

2229. Mr. *Reddington.*] You cannot make any distinction from this book, between those that have paid for registering and those that have not?—Except so far as where the new security corresponds with the old.

2230. It is only surmise, on your part, that persons have not paid for being re-registered?—I am confident they have not.

2231. Mr. *Hutton.*] Why do you require those persons to have new certificates, when the securities are the same as they had been before, and their certificates, of course, had been in existence previous to this time?—I really cannot answer that question more than as I said before, it was to make the book regular; they were probably registered by the late marshal.

2232. Then it appears, though their securities were in existence and regular, that a fresh fee was demanded for them?—No fresh fee was demanded, that I know of.

2233. In some cases, the name of the third security is not entered in those which have been re-registered; can you account for that?—No, I cannot.

2234. There is a fresh date of license put to these, as if they had been re-licensed, when it appears the former securities and former licenses were in existence; that is a point I want to have accounted for?—As far as I can account for them, I will; I am sure no fee was demanded for bringing them forward; I will produce my son, who transacted the business, and I dare say he will be able to bear me out in my opinion on the subject.

2235. Then why make a fresh entry, as if they were re-registered, if that were not the case?—To make the book regular.

2236. The statement you now make, does it agree with the statement made in your book?—There are only 24 of the town clerks; all I can say is, the only parties that re-registered are those returned from the town clerk.

2237. Then why not bring forward, in your book, the date of the old license?—It is in the other part of the book.

2238. But in this?—I cannot account for that.

2239. This book is headed, "Revised and Corrected the 20th September 1837;" there appears to be no revisal or correction of several of the persons under that head; how can you reconcile that?—I reconcile it thus: there was no certificate taken out for them, because they were previously registered in the town clerk's office in Cork and in my books.

2240. Then why enter it here?—I cannot tell; my son did it for me.

2241. Mr. *Reddington.*] You cannot speak with certainty, not having been there, and not having transacted the business yourself?—I think it is strong corroborative proof, by the return of 24, by the town clerk being registered.

Veneris, 8° die Junii, 1838.

MEMBERS PRESENT:

Mr. Young.	Sir William Somerville.
Mr. Roche.	Mr. Corry.
Mr. Hutton.	Mr. Beamish.

LORD VISCOUNT CLEMENTS, IN THE CHAIR.

Mr. *John Judkin Butler,* called in; and Examined.

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2242. *Chairman.*] YOU stated yesterday, that except in one case where two guineas were paid, you never took more than one guinea from any pawnbroker in Ireland; do you adhere to that statement?—I do not recollect having got more; there might have been 30*s.* got in one or two cases, but beyond that for a license it never went higher.

2243. I am alluding to the monthly returns?—I have in one or two instances got 30 *s.* from some.

2244. In the return you received in 1837 from Francis Gray, a pawnbroker at Market-hill, there is a memorandum in Gray's hand-writing, stating that with the return he encloses 1 *l.* 5 *s.* as your fee; are there many such instances as that?—Very few; as I said before, I never made a demand; it was a regulation they made themselves.

2245. Here is a return from Anne Brunton Ennis, in which a bank order for 1 *l.* 10 *s.* was sent you; did you receive the money?—I did.

2246. For a return for which only 12 *s.* is allowed by law?—That is the regulation they made among themselves, and that is the way it was when I got the office.

2247. That is the regulation the pawnbrokers made among themselves?—Yes; it was what my predecessor was in the habit of getting; I never made a demand.

2248. Have you any document to prove that was the regulation they made among themselves?—I have no documents to prove it, but I have always understood it to be the case.

2249. Mr. *Roche.*] Is it not strange they should make an arrangement to their own disadvantage, to increase their own expenses?—There was not one but what was aware of what the Act mentioned.

2250. Sir *William Somerville.*] You were aware of what the Act mentioned?—Yes.

2251. Can you inform the Committee the precise number of persons who made this regulation, and those who did not adhere to it?—I cannot, but there are very few; in fact, all I can say on the point is, as I said before, it was the way my predecessor was paid; I never made any demand beyond demanding my fees, and they sent those sums.

2252. *Chairman.*] In the list of pawnbrokers for 1836 and 1837, you return Deborah Ann Roe at Ballinasloe, but, from the return of the county treasurer, no security seems to have been lodged for Deborah Roe?—It is lodged for Edward Roe.

2253. On what authority did you place the name of Deborah Roe on the register of pawnbrokers?—I am not aware; I should like to refer to the books, as that is the only way I can explain about it. [*The Witness refers to the Register Book.*] I do not see any such name.

2254. Refer again to the book?—Yes; she seems registered here, 16th March 1836. I can only say here is entered Ann Deborah Roe, and here are her securities mentioned; I am positive that I received them, and I am positive I have the certificate on which I granted it at home.

2255. That is to say, you received the fees, but did not inquire whether the treasurer had given the certificate or not?—I am sure I got the certificate, otherwise I would not have given the license.

2256. By the return sent in from Mr. John O'Hara, treasurer of the county of Galway,

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Galway, it appears that Edward Roe is the only person whose securities are lodged with him [*Handing the return to the Witness*] ?—Are the securities mentioned here?

2257. Yes?—In my book Edward Roe appears as one of the securities for Deborah Roe.

2258. Are you aware that Edward Roe has since become a publican, and that Deborah Roe's name has been put into the register, for the purpose of avoiding the penalty upon a pawnbroker acting as a publican?—I know nothing at all about it, and I never heard; I can write for this certificate, and set this matter right; they may have imposed on me, but this would not have appeared on the register if I had not received a certificate to that effect.

2259. On the back of Deborah Roe's return there is marked "fee, one guinea; arrears of fees, a guinea;" did you receive two guineas from her?—If it is there, of course I did; one for the license, one for the returns.

2260. It is not marked for license but for return?—It says on this, "for license."

2261. Sir *William Somerville.*] Is that the legal fee for a license?—One pound is the fee.

2262. *Chairman.*] The county treasurer reports the sureties of Edward Roe to be Timothy Murray, Patrick Hughes and William Kenny; but in your book, Patrick Hughes is omitted, and Edward Roe is inserted as a surety; what authority had you to register Edward Roe as one of the sureties for his wife?—On the authority that I received.

2263. That authority is derived from the county treasurer?—Then I must of course have been imposed upon.

2264. Mr. *Young.*] You did not think it necessary to make inquiry?—I always grant the license on receiving the town clerk or county treasurer's certificate.

2265. *Chairman.*] The Act of Parliament requires the pawnbroker residing in the town, to lodge his bonds with the town clerk, and if in the country, with the county treasurer, and to produce from one or the other of those officers certificates to you; would you consider yourself warranted to register a pawnbroker who lodged his bonds not with the town clerk or with the county treasurer, but with some other officer?—I never have received an instance of the kind, and never heard an instance of the kind.

2266. Have you not, within the last few weeks, registered three pawnbrokers in Newry on the certificate of the bonds being lodged with the seneschal of that town?—Yes; in getting the seneschal's certificate to that effect; Mr. Glenny is the officer who always now transacts that business for the town of Newry.

2267. I thought you said you required it invariably from the treasurer or the town clerk?—I should have said as the case may be; the seneschal is the officer who always acts in Newry for that purpose.

2268. Is there not a town clerk at Newry?—I do not know.

2269. Are you not aware the seneschal is not a certifying officer of pawnbrokers' bonds, and that if they were made payable to him or deposited with him they could not be enforced under the Act?—I do not know it at all; but I know the seneschal of Newry has been the person invariably since I was in the office, and, as I understand before, who always certified for those people.

2270. Sir *William Somerville.*] You never looked into the Act of Parliament to make yourself acquainted with the fact?—I know it was the town clerk or treasurer; but I conceived the seneschal came under the same power.

2271. You conceived the office of seneschal was tantamount to that of town clerk in other towns?—Yes; and I will tell you a circumstance which makes me sure he was the person who had the power: in the last election for Newry he was treated as the town clerk as having possession of the poll-book.

2272. The reason is, you were not aware what the provisions of the Act were, as you stated just now; but you thought the office of seneschal was the same thing as town clerk?—Yes.

2273. Then you were aware of it?—I was aware he was always the person who acted; that when there was no town clerk, he was the person that I always received the certificate from.

2274. I understood you to say you did not know just now the provisions of the Act?—I know the provisions very well; but I conceived the seneschal, where there was no town clerk, was tantamount, and he has always been so considered.

2275. *Chairman.*] You stated yesterday, when a new bond was given to

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replace a single security that had dropped, that in that case you never, by any accident, charged more than 5*s.* fee?—Never.

2276. And which you admitted was all you were authorized to charge by law. In the letter you have received from the seneschal of Newry, in the case of Whitehead, of Newry, you have omitted to tear off this back of the letter, he having notified to you he had sent up 1 *l.*, which was for the renewal of a single security; how do you account for your having received 1 *l.* in that case [*Handing the letter to the Witness.*]?—All I ever demanded was a crown; I cannot account for that being sent, except it was at their own option.

2277. Sir *William Somerville.*] If you receive more than you are entitled to by law, you never return any thing back?—Never; they are all perfectly aware of what they had to give me.

2278. Mr. *Roche.*] Can you assign a motive for their gratuitous liberality?—Indeed, I cannot; only they conceive the thing is so very small; I believe that was their feeling.

2279. Are they relieved from any inconvenience or trouble in consequence of their overpaying you?—Certainly not.

2280. *Chairman.*] Is it not possible that when they sent you 1 *l.*, instead of 12*s.*, they may conceive that you would be less careful in inquiring into the correctness of the returns which they are desired to furnish you?—Upon my word, I believe they had no such idea. There is no part of my duty I take greater pains in than to obtain the returns; as I think will be seen by reference to the books, looking at the few that were returned before I took to the office, and to the great number that have been returned since.

2281. Sir *William Somerville.*] Did you ever name any particular fee to them yourself?—Never.

2282. *Chairman.*] You mentioned yesterday one of the benefits which your office conferred on the public was, that all pawnbrokers' sureties were registered by the marshal, and that their names could at once be ascertained by reference to the marshal, when his register was examined; there are 128 pawnbrokers' names entered in that register, without the name of any one of their securities; you have been now six years in office; why have you so long neglected to fill up the register?—That was all that appeared on the books before I got the office; I could not obtain them, for this reason: the old books were kept by my predecessor in office so irregularly, that I could make neither head nor tail of them; I have endeavoured to work this out myself as well as I could.

2283. Then, up to the present time, you admit the register of securities, which is defectively kept, could not have been of any advantage to the public?—I am confident they were of advantage to the public; and those I had not, as a matter of course, were registered either with the town clerk, or with the treasurer of the county.

2284. Then you admit there can be no advantage, in those cases, in registering with the marshal, since in those cases the parties must be referred to the treasurer or the town clerk?—Why, I ought to have had them all here in the book; I have had them all since I was in office myself.

2285. Did you receive fees from those 128 persons, notwithstanding the irregularity in their securities, the same as if they were legally authorized pawnbrokers?—I received them as appearing registered in my books.

2286. Although, on the face of your books, that register was of no avail, evidently, as there are no securities mentioned on the face of that register?—All where the omissions appear were before I got the office; and then the securities could be obtained from the town clerk or the county treasurer.

2287. I find Dora Kingston in 1833; John Rooney, 1835; Eliza Lynn, 1833; Faithful Tate, 1836; William Bradford, 1834; James Fitzgerald, 1833; whose securities are not entered; pray, were not those registered by you since your being appointed to your present office?—Certainly, if those dates are correct.

[*The Witness examined the Register.*]

2288. Are the dates correct?—The dates are correct; I do not see the sureties here; I cannot account for it.

2289. Besides the 128 pawnbrokers whose securities are not inserted, there are 11 others also incomplete; look in your register at the name of Jane Rooney, Athy, certified to have commenced business 16th January 1835; what do you mean by entering the remark, "Security not sent?"—Upon my word I cannot account for it.

2290. You

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2290. You are prohibited by law from registering any person as a pawnbroker, who does not previously produce a certificate of security being lodged; why did you register Rooney?—Upon my word I do not know any thing at all about it.

2291. Sir *William Somerville.*] Is that your hand-writing there?—It is not.

2292. Did you charge 1*l.* to him, for entering his name on the register?—I am sure he sent 1*l.*; I am confident that the certificate of this is forthcoming, and of all of them.

2293. The names of all those persons are written in the book, although the securities are not entered?—Yes.

2294. Are any of those names in your own hand-writing?—No.

2295. *Chairman.*] How is it the mark occurs in the book, "Securities not sent," when you are confident that the certificate is forthcoming?—Upon my word I cannot account for it.

2296. Mr. *Roche.*] Who made that entry?—My son.

2297. *Chairman.*] Will you turn to the name of James Fitzgerald, entered October 1833, in your book, with the remark, "Securities are not sent;" why did you register him?—I cannot account for it.

2298. Sir *William Somerville.*] Is that in your hand-writing?—It is not.

2299. *Chairman.*] As the Act of Parliament requires, positively, three securities for each pawnbroker, explain why you have entered a less number, in the following instances: Clonmel; Richard Shannavan, two securities. Callan; Michael Lynch, two securities. Lurgan; Matthew Wells, two securities. Mallow; Maurice O'Connell, two securities. Tralee; Thomas Burton, one security?—As to Richard Shanavan, of Clonmel, that occurred before I was in the office.

2300. Matthew Wells, of Lurgan, commenced in 1837, did he not?—Yes; I have the entry, and of course I got a certificate of three; but how it is that the other name does not appear here, I cannot tell.

2301. Sir *William Somerville.*] Is that your son's hand-writing?—It is.

2302. Is there any of your hand-writing in that book?—Very few entries.

2303. Did you ever look over the book before?—I have.

2304. Did you ever at all, before you came into this room, look into the book?—Yes.

2305. You were not aware of any of these inaccuracies?—No, indeed; I did not attend to it.

2306. *Chairman.*] You cannot account for cases, in which two securities only are entered, but you presume in cases where two securities are entered, three have been really returned?—That is my impression.

2307. How came you to accept, as valid, a certificate from the town clerk of Belfast, that the securities of three pawnbrokers in Ballymena had been lodged with him, when they should have been lodged with the county treasurer of the county of Antrim, and that in 1835 and 1836?—I see that was the late town clerk of Belfast, Henry Fergusson; I see, that in November 1831, there was one certified by Mr. Fergusson, and the other two by me.

2308. Why did you register a pawnbroker on the certificate of the town clerk of Belfast, when the law directed you should take the certificate of the county treasurer of the county of Antrim?—Belfast is in Antrim; whether that was the reason I did it I do not know.

2309. Is Ballymena within the jurisdiction of Belfast?—I cannot exactly answer that question; it appears here, Mr. Fergusson was always in the habit of certifying for Ballymena before I got into office, and I took his certificate, conceiving he was the proper officer.

2310. The law directs security should be lodged with the county treasurer, and not with the town clerk of Belfast; was Mr. Fergusson town clerk of Belfast, the agent who collected your fees?—Yes.

2311. Might it not have been on that account that you were less strict with people who obtained a certificate from him, instead of from the proper officer?—Certainly not; Mr. Fergusson was too high-minded a man (he is dead now) to do any thing of that description, and I never contemplated any such idea.

2312. He was employed by you as your agent?—He had been in the habit of receiving the fees for my predecessor in office, and he collected them for me; and he never charged me any thing, except giving his clerk a crown for his trouble.

2313. Were you not aware that bonds, payable to the town clerk of Belfast, would be of no avail, in cases where the pawnbroker was acting for the town of Ballymena, and that it would be contrary to the Act of Parliament?—It certainly

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ought to have been, according to the strict letter of the law, from the county treasurer; I know there was a Mr. Fergusson, treasurer for some of the northern counties; and I have certificates signed by him, but for what county I cannot tell; whether it is the same or not, I cannot say. Ballymena is in the county of Antrim, I believe.

2314. Are you aware that the treasurer of the county of Antrim is Mr. Alexander Miller?—No, I am not; if he is, it will depend upon how long he has been treasurer.

2315. It appears from your book, Susan Barret, who commenced business at Cahir Civeen, made her bonds payable to the town clerk of Tralee, and deposited them with him instead of the county treasurer of Kerry; why did you not check this irregularity?—I do not know.

2316. You cannot account for it?—No, I cannot, really.

2317. In looking over the returns made to you by the pawnbrokers in 1837, please to explain why you accepted the returns without signatures from the following persons: Jane Bailey, Athy; D. Roe, Ballynasloe; J. Sheales, Belfast; Eliza Lynn, Belfast; J. Neile, Belfast; F. Tate, Belfast; J. Bailie, Ballyshannon; Ann Howard, Cork; M. Shanahoe, Carrick-on-Suir; J. Fisher, Cootehill; M. Williams, Kinsale; E. Homan, Limerick; J. Parker, Limerick; J. Slattery, Lismore; J. Boyd, Newry; J. Mills, Newtown-Hamilton; C. M'Master, Omagh; J. Slattery, Tullow. I always looked at that as an unintentional error, because they were always enclosed in a letter to me, bearing their signatures; some of them are very ignorant persons; through mistake or ignorance they had not signed. I took the pains of explaining to them where they were to sign.

2318. If you do not examine into the correctness of the return, and if you accept them as sent in, signed or not signed, of what use can these returns be?—I considered it was tantamount to a signature those persons enclosing that in their letters; I am sure there was no intention of fraud or disposition on their part intended.

2319. You stated yesterday, you never received your fees in advance; among the pawnbrokers' returns handed in, you have omitted to tear off the half sheet of one of them to which you now allude, and on which your letter to the pawnbroker is written, and which is as follows:

Marshal of Dublin's Office.—All letters to this office must be post paid.

Dublin, December 20, 1837.

Dear Sir, 62, Upper Gardiner-street.

The annual period having arrived at which it becomes my duty, as register of the pawnbrokers of Ireland, to prepare a return to the House of Commons, of the amount of business of each office throughout the kingdom, I take leave again to call your attention to the subject.

On the last occasion I transmitted a form of return to the trade, which produced such a very satisfactory result, that I am again induced to repeat it.

I have now to impress upon you that a perseverance in the same strict line of duty, is the surest method of continuing to the trade the benefits resulting from the present form of legislation. I have, therefore, annexed a blank form, which you will be good enough to fill up and transmit to me, with my fees, previous to the 10th of January next.

I have the honour to be, dear Sir,

Your obedient humble servant,
John Judkin Butler,
Marshal and Register.

P. S.—I will feel obliged by your letting me know the names of the pawnbrokers at present in business in your town.

And by way of answer from John Rooney, pawnbroker, Athy, I find the following note:

Sir,

I have sent your fees per Miss Turton, for which I hold your receipt of the 1st of December 1837, for the ensuing year.

(Signed for J. J. Butler) *W. W. Butler.*

Athy, December 21, 1837.

How do you account for having been paid in advance in that instance?—I cannot account for it in any way, except they paid me, unsolicited, in advance; sometimes, when they are in town, they may leave it with me, to save them the trouble of sending it up; but of course it would not be paid at the end of the year again.

2320. When you stated yesterday, you never received your fees in advance, you were in error in that instance?—I had no recollection of a single case of that kind;

kind; I suppose there are not three such cases; I did not recollect it at the time; to save them the trouble of sending it up, they might have left it at the office for me; they might have paid it then, to save the trouble of sending it up at a future time; they would not send it up again.

2321. On another half sheet, which you have omitted to tear off, I find the following note to Mrs. Lawrence:

My dear Madam,

I HAVE to beg your attention to the annexed return, which you will prepare and forward to me the first week in January. Having particular occasion for money the latter end of the month, I have directed Mr. Costello to present my receipt on the 25th instant, when I trust you will be prepared to pay the same.

That is dated October 10th; if you send for the returns in January, and required the money to be paid in October, is not that a payment in advance?—I will explain that: the regulation of Limerick was, that they always paid me in November; that is, the twelve months from one November to the other; so I did not consider that as paying in advance.

2322. Then in Limerick it was a system regularly entered into that they should always pay three months in advance?—They always paid me in November; the end of each November.

2323. Sir *William Somerville.*] Are there any other towns similarly situated with Limerick, or is that the only special exception as to paying in advance?—In Cork they pay in November; either November or December, when I went down to Cork, they paid me.

2324. Is there any other town?—Not that I recollect.

2325. *Chairman.*] Are you not paid in advance by the Dublin pawnbrokers?—No.

2326. The return of Samuel Bradford, of Newry, is for a year from the 6th of November 1836 to 7th November 1837; why did you in the return to Parliament state this man's returns to be from the 1st of January to the 31st of December 1837?—I cannot account for that.

2327. Among your returns from Tuam, is one sent from Bridget Quin, although she is not licensed, and has lodged no securities; it is returned by you in your printed returns as being sent from John Mangan, although a memorandum at the bottom informs you the business is no longer carried on by him; how do you account for that?—I suppose that she was a relation of his, and at the end of the year she transmitted his returns.

2328. Sir *William Somerville.*] Have you any reason to suppose so?—That is my idea.

2329. *Chairman.*] Do you not see in the form which you have yourself handed in, that in the form it is expressed as being the office of the late John Mangan?—I do not know who wrote this; I do not know from whence this memorandum at the bottom of the paper came.

2330. Did it come into your office in that state?—Yes, certainly, and I should have returned it as Mangan instead of Quin; and that was a mistake; that is the only way I can account for it.

2331. And Bridget Quin's name is on the top of that return?—Yes; I have not Bridget Quin's name on the register.

2332. Have you not received fees from Bridget Quin?—Of course the fee came with the letter.

2333. You received it, although she was not a licensed pawnbroker, and had not legal securities, or been registered as such?—I received it as for the late John Mangan; I suppose that was it.

2334. Although the document itself showed that he was no longer in business, and that the person doing business had not entered into securities?—I do not know how that is; at the end of the year it was sent up to me in that manner; I had no cognizance of his being dead at that time, or of his being out of business.

2335. Did you sue her for a penalty for carrying on the trade without being duly licensed?—No, I did not; in fact, I do not know any thing at all about it.

2336. Mr. *Young*] You found the business carried on in the way it is now when you came into the office?—It was very carelessly carried on before, and I have endeavoured to correct it as well as I could.

2337. With regard to the fees you allowed it to continue just as it was?—Yes.

2338. Is not the office considered very much in the light of a sinecure by the

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corporation of Dublin?—I do not exactly consider it as a sinecure, because we have duties to perform.

2339. Sir *William Somerville.*] Did you ever receive a fee without a return?—Oh, they have occasionally sent fees without returns, and they have sent the returns afterwards.

2340. *Chairman.*] Have you borrowed money from any of the pawnbrokers of Dublin at different times?—I dare say that I might have borrowed a pound or two at a time; that is all.

2341. Have you not had bill transactions with some of them?—With the pawnbrokers of Dublin?

2342. Yes?—No; only with Mr. Bentley, as I mentioned before.

2343. Have you not had bill transactions with Mr. Smith?—Yes; shortly after I came into office Mr. Smith asked me, "Did I want money," and he lent me 50*l.* on my note.

2344. Do you conceive the officer who is to superintend the proceedings of any class of men, should be under pecuniary obligations to them?—Why it would be better not if they could avoid it; I could not avoid it, and I pledge myself it was not for any sinister or improper motive of hiding or screening them, or doing any thing wrong; I have a very large family, and when I had the office I was much distressed, and I had occasion to get assistance; I did not consider there was any thing dishonourable in that; it was rather unpleasant.

2345. Does Mr. Smith hold a confidential situation among the pawnbrokers at Dublin?—I understood he was treasurer; I believe his health does not allow him to hold it now; there is not a more respectable or a more honourable man in the city of Dublin than he is, or a man whose character will better stand the test of inquiry.

2346. Mr. *Young.*] Did you repay the 50*l.*?—It is all paid but 12*l.*

2347.—It was borrowed with the intention of paying?—Certainly; it was his own kind offer.

2348. Mr. *Hutton.*] You wrote a letter in January last to Mr. Long, of Cork, soliciting pecuniary subscription from him and the other Cork pawnbrokers?—At the time notice was given by Lord Clements in the House of Commons, I did think it my duty, for my own interest, to come to London here to watch the proceedings; I conceived naturally any change would hurt me in my office.

2349. If the change was likely to hurt you in your office, do you think that a proper ground to call on the pawnbrokers of Cork to remunerate you for coming here to take care of the interests of your own office?—That was my own act altogether, and my own feelings on the subject.

2350. How do you reconcile that with your duties of superintendent of pawnbrokers?—I did not conceive that interfered with my duties; I thought it was a natural anxiety a man would look after his own interest; but I received no money from them.

2351. It was quite natural you should look after your own interest; the question is, why you should call on the pawnbrokers to pay for it?—All I can say is this; it was not through any dishonourable or improper motive, or that I was going to hide from or do any thing wrong before this Committee; that is all I can answer. It was a foolish act of mine to do it; beyond that I plead nothing more.

2352. Mr. *Young.*] I want to ask a question about Hugh Harper, No. 87; he was registered, it appears, in 1838; the date in Belfast is 16th November 1837; was he carrying on business before November 1837; can you tell that?—I do not exactly know whether that is the individual or not; but when my son went down (and he was there in January and February), he found a great number of the pawnbrokers were carrying on the business without having their bonds executed; but we then obtained the certificates from the town clerk, and on that their licenses were granted.

2353. By carrying on business in that way, do they not defraud you of your fees as well as avoid the Act generally?—We heard nothing at all about it until we went down.

2354. Had they paid the fees when your son went down?—No, they had not; and I did not know that those persons were in business either.

2355. The note to this case here is, "that Hugh Harper is successor to Henry Patterson," and there is no notice of either of them in 1837 at all?—Of course he lodged new bonds and certificates, or sureties for that.

2356. And

2356. And did he not in the mean time carry on business without bonds?—Yes, unknown to me.

2357. Mr. *Hutton.*] Did you ever register a pawnbroker on his sending up the fee, and stating he had lodged his securities, without any certificate from the proper officer, that he had lodged his sureties?—I have no recollection of it; there are cases here I cannot account for.

2358. Refer to Kanturk; on what document did you register Oney Sheahan as a pawnbroker?—I find his name in the register, but there is no entry attached to it at all.

2359. Sir *William Somerville.*] Is he a registered pawnbroker?—I do not know that; his name is here, that is all I know.

2360. Are there others who are not registered?—I presume they are; but that is nothing more than merely the name.

2361. *Chairman.*] In your printed return in 1832, there are no Belfast pawnbrokers returned, but in 1833 you return 30; again in 1834 there are none returned; but in 1835 you return 23; in 1836, there are 30; in 1837, there are 39 returned; did you receive fees for the years 1832 and 1834, in which there were no returns sent?—I have received the fees; I cannot tell whether I received them for all; Mr. Fergusson was a very careless man, and for a few years I did not get fees from them all.

2362. Can you state positively that you did not receive fees in the years 1832 and 1834 from the town of Belfast?—I do not attempt to state any such thing; I did get fees of course, and made exertions, as far as I possibly could, to get the returns.

2363. In Dundalk, no pawnbrokers are returned by you in 1832; but in 1833, you return Christopher Crowe and Patrick M'Guiness; in 1834, Patrick M'Guiness is not returned; but he is in 1835, with another person, called Samuel Bradford, stated by you to have been certified only in November 1836, although you return him as doing business in 1835: again, in your return for 1836, you drop Samuel Bradford, and insert the name of William Bradford; can you explain how it is that there are no securities entered in your book, for either Samuel Bradford or William Bradford, of Dundalk?—I find, by reference to the register, the sureties are not entered.

2364. How do you account for that?—I cannot account for it, as the entry is not in my writing.

2365. In the printed return sent in by you for the city of Waterford, there are two pawnbrokers in 1832, 13 in 1833, none in 1834, 20 in 1835, three in 1836, and 24 in 1837; how is it you have not enforced returns from all of them every year?—I endeavoured by writing, as far as I possibly could, to get them.

2366. Although you did not receive the returns, did you invariably receive the fees?—Yes; Mr. Irwin, who collected them, sent them to me.

2367. In your printed return, you give the Committee no pawnbrokers for the town of Wexford, in 1832; one in 1833, and in 1834, 1835 and 1836 one is still returned: in 1837, you return three pawnbrokers, all of whom had been several years in business; how do you account for that?—I cannot account for it, any more than they did not send them to me; I sent the circular to them all at the end of the year, enforcing and begging them to send it to me.

2368. Mr. *Hutton.*] Have you been lately endeavouring to persuade the Dublin pawnbrokers to pay you an advance for the year 1839, as a compounded sum for serving notices of sale?—I got from a few of them an advance; in fact they lent me some money on a deposit of a policy of insurance.

2369. You applied to them to advance their payments for their notices of sale for the year 1839?—Yes; but I have repaid it all since; just before I left Dublin, I deposited a policy of insurance with Mr. Welch; I suppose I had not the money more than three weeks or a month, and I repaid it.

2370. As you have a payment for each notice, how could you know by anticipation the number of notices required?—They pay me so much a year for it; in fact, in that business you are alluding to, they lent me the money on my depositing a policy of insurance; I have repaid it since, and got back the policy of insurance.

2371. That is, you being a person to control the acts of pawnbrokers, apply to them for an advance, and secure them by policies of insurance, and repay it afterwards?—Yes, they lent me money, and I secured them by a policy of insurance for 1,500*l.*; I had not the loan of the money more than three weeks or a month.

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2372. Are you aware that all the fees authorized by the Pawnbroking Act were in Irish currency?—Yes.

2373. Have you received them in that currency?—Very few.

2374. You have received them in the advanced British currency?—They have always sent them, as I stated before; I never made a demand; it was a regulation in the office, and I continued to receive them as such.

2375. You have received in British currency what you should have been paid in Irish currency?—I received always British currency, except in a very few instances they sent in Irish.

Mr. *William Brophy*, called in; and Examined.

Mr. *William Brophy.*

2376. *Chairman.*] ARE you a pawnbroker?—I am.

2377. Where?—George-street, Dublin.

2378. Are you secretary to the Society of Pawnbrokers, in Dublin?—I act in that capacity sometimes.

2379. Pray, can you state whether you have suffered any loss by the marshal not having served notices of the sale of a forfeited pledge, when the notice had been sent to him for that purpose?—Not the present marshal, I have not; I have by Mr. Stanley, who died.

2380. Will you state the particulars of the case?—It was a cloak a woman had pawned with me, and, as the notice was not served on her, she summoned me, and the alderman ordered me to pay for it.

2381. Did not a similar occurrence take place about two years ago?—A circumstance of that sort was very near occurring, but it did not go the whole length; that is to say, I served a sheet of notices on Mr. Butler. When we have a number of notices to serve we serve 40 or 50 at a time on a sheet, and I served a sheet of those notices on Mr. Butler; and it specified that in a certain number of days after those notices are served, we are entitled by the Act of Parliament to sell the goods; I sold the goods accordingly, and a person came to me to release an article; I told him the article was sold: he asked me when it was sold, and I told him; showed him the sale-book, and showed him the entry of it; wherein, to the best of my recollection at this moment, I did not get my principal, losing all the interest and auctioneer's fees. The man, seeing that in the book, was somewhat appeased; but there was a good deal of grumbling, and so on: he told me he ought to have received a notice; I told him I did notice it: he said he had not received it, and that he would summons me; upon which I went to Mr. Butler's office, and saw one of his sons there. Previous to my serving these notices on Mr. Butler, I keep a copy of the notices myself, for my own satisfaction, and file it. I brought my copy in my hand, and saw his son, and asked him to see the sheet of notices of such a date, that I served upon him; it was lying on his desk: he said, "It is here." "What is the reason it has not been served?" I said. He said he did not know. "Here is a person going to summons me for an article, and if I have to pay for it I shall have to look to your father to pay it." He made some sort of excuse, and said they should be served immediately; I said, "It is too late; the goods were sold a fortnight ago."

2382. How long was that from the date of your having sent the notice to be served by Mr. Butler?—It was fully a month; the goods had been sold above a fortnight, when the man applied to me that he ought to receive notice, which he had not received, and for which I should have had to pay had he summoned me; he did not bring the sale-book.

2383. Did you find many other notices in Mr. Butler's office, still not served?—No, I never did; I only speak of my own sheet of notices; it was no business of mine to refer to other people's sheets.

2384. Do you suppose that his serving of notices is often useful to the public?—No, I think it is the reverse; it leaves the public open, or us, to a great deal of annoyance, if they choose; the people move about in so many different situations, from place to place, that it is an evasion of the notices being served; they cannot be served, and then they annoy us.

2385. Mr. *Hutton.*] It was not one single notice only which you refer to was omitted to be served, but the whole sheet of notices, which contained 30 or 40 notices, was omitted to be served?—Just so; and had I been summoned on every one, I should have had to pay.

2386. Have the pawnbrokers at Dublin a common fund to defend themselves against

against any prosecutions that may be brought against them?—They have a fund for such a purpose, I believe.

2387. What is the probable amount of the fund?—We pay such a trifling thing; I do not think it ever amounted to any thing more than perhaps 60*l.* or 70*l.* or 100*l.* We pay so little, and when we meet, any little entertainment we have is taken out of it, that it could not amount to any thing; we think ourselves sufficiently capable of defending ourselves at the moment in case any thing occurs; but such a thing has never occurred.

2388. Did you ever pay people gratuities on condition of dropping prosecutions, and not lodging informations against pawnbrokers in Dublin?—I never knew such a thing in my life.

2389. Did you send circular letters as secretary to the Dublin pawnbrokers a few months ago, to all the pawnbrokers in Ireland, requesting them to send up subscriptions to defend the pawnbrokers before this Committee?—Not for the purpose of defending the pawnbrokers before the Committee, but any expense there might be necessary attending the formation of any new Bill that might be brought in for that purpose.

2390. Mr. *Beamish.*] Resulting from the inquiry before this Committee?—Nothing as to the Committee, but, should it be necessary, to employ counsel on the Bill being before the House.

2391. Why did you presume there was to be a Bill before the House?—We heard so.

2392. *Chairman.*] How much money did you subscribe or receive?—There were very few sent up subscriptions to us; perhaps some 50*l.*, or some trifle under 50*l.*

2393. How much did the Dublin pawnbrokers contribute?—For necessary expenses they were to have subscribed 5*l.* each, but they did not subscribe more than half of that; and there is none of that sum been expended yet.

2394. Are the Dublin pawnbrokers in the habit of charging interest on sums under 1*s.*?—I believe they are.

2395. Do they charge 1*d.* a month interest when the sum advanced is 2*s.*?—They do, when it comes to 2*s.*

2396. Do you often sell forfeited pledges without sending them to any auctioneer?—We do, trifling things; things that I have had to bring back from auction, that would not bring perhaps half the money lent; we are taken in sometimes.

2397. Have you ever sold 30*l.* or 40*l.* worth of pledges to Dublin and country dealers at the time, without bringing them to auction?—Never.

2398. When a man of the name of Galbraith conducted your business, was he accused of having taken in stolen goods frequently?—Never; never to my knowledge, and I ought to know it.

2399. Not before the magistrates?—Such a thing as a person getting into those bad houses which infest our neighbourhood, where they might lose their coat or their waistcoat, or something of that sort, such a thing as that might have been taken in the hurry of the business; it was always my desire no such thing should occur at my establishment; but such things will creep in, when there are a number of persons at your counter annoying you to do business quickly.

2400. Was there a person of the name of Cox in the Police-office, who was ever paid by you or the pawnbrokers a gratuity for his services, in preventing prosecutions?—Never knew him to receive a shilling in my life, nor any one else connected with that establishment, nor any other establishment for any such purpose.

2401. Do you think it would be practical for the Dublin pawnbrokers to give notice of the precise day of sale to the pledger if he called to inquire, instead of serving a notice upon him in the form which is at present adopted?—Certainly it would; I think the present system is a very abusive system: from the circumstance of serving a notice, one would suppose there were some consequences attached to the matter, and, therefore, under such circumstances, it would be better, that if notices were at all to be served, that it should be by the most ostensible person in whose possession the property is, that is, the pawnbroker, and make him accountable himself, and himself only, if he did not serve that notice.

2402. Do you think that they could adopt the form of duplicate, which has been recommended by Mr. M'Call, pawnbroker, of Lisburn—[*The Witness reads the same, described in Answer, No.* 1121]?—Yes, I think it could be adopted, and I see nothing wrong in it.

2403. Is there any thing else you can state to the Committee, with reference to the

Mr. *William Brophy.*

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the object of this inquiry?—There are a few things I would wish to suggest; as I think they would be an improvement to the business, and would be a convenience to the pawnbrokers also. I should say, first, an extension of the hours for keeping open the shop; some pawnbrokers wish the hours to be from eight o'clock in the morning, and others wish it from nine o'clock; but I think, to take the whole year round, the hours should be from nine in the morning to seven in the evening.

2404. Mr. *Hutton.*] Don't you think if the pawnbrokers' shops were opened early in the morning, there would be a great facility for pawning goods that might have been stolen during the night?—That is the reason I would suggest nine o'clock, in preference to eight o'clock; because, all that is necessary is, for mechanical men to raise a shilling or two for his family before he goes to his labour; being now ten o'clock, it causes many a poor man to lose a quarter of a day. With regard to serving notices, I would have them either inserted in the newspaper or on the pawnbroker's window, and in a conspicuous place in the office, whichever the Committee might think to be the most correct way. I think the auction-duty ought to be taken off, because persons having to pawn property, I consider that is equivalent to bankrupt property, and they ought to have the benefit of it the same as all bankrupts; that is, when it becomes forfeited, for a person must be literally a bankrupt, or they would redeem their property. The next suggestion I have to make is, that it would be proper to dispose of the goods, under 10 *s.*, lent at the discretion of the pawnbroker, according to the English Act.

2405. Without any notice or auction?— Yes; I should suggest there should be an extension of the privilege of lending sums above 10 *l.*, with a proper rate of interest, according to whatever the discretion of the Committee would suppose to be right, and a period, also limited, for selling such articles; at present we are compelled to keep as long as the party pleases, and for twenty years, if they please, to the prejudice of the articles.

2406. Have you any other suggestions to make?—I think all summonses should be decided by the police magistrates, instead of being decided at a place they call the Court of Conscience, in Coppinger-row; a place literally without any conscience.

2407. What court is that?—That is a court the lord mayor is connected with.

2408. Have you any other recommendation?—There is a great necessity of having a privilege of taking in pawns later of a Saturday evening, because mechanical people want to exchange goods for Sunday; a man may fancy wearing a body-coat on Sunday, and may wish to leave his top-coat for it, and so on.

2409. Are there any other recommendations you would suggest?—I have been told it was the opinion of the Committee that all goods should be kept twelve months; it is my decided opinion that the pawnbrokers of Dublin will meet with very great destruction and ruin if they are not allowed to dispose of small miserable rags as they do now; that is, from six to nine, and from nine to twelve months; small things, as have 8*d.* or 1*s.* lent on them.

2410. But if they gave notice to the pledger that they intended to sell the article at the expiration of six months, do you think the pawnbroker ought to have any right to charge more than six months' interest, if he chose, notwithstanding that notice to keep the article longer than six months?—I would certainly submit to take the one against the other; that is, if it was kept over, and you thought it would pay you better, that the pawnbroker should not be allowed to charge any further interest for it beyond the time specified on the duplicate; I would recommend the Committee particularly to be kind enough to put that in.

2411. Are you quite certain that you never paid Mr. Thomas Prout of the Town Clerk's Office any thing for services rendered by him in the Recorder's Court whenever any person was tried for pawning stolen goods, in order to their being returned to the pawnbroker instead of to the owner?—Never; I never knew him to receive the least gratuity in any shape or way whatever, either from myself or any other person connected with our trade.

2412. Pray, did Mr. Patrick Campbell, of Townshend-street, pawnbroker, advance money to Ross. Cox, the second clerk in the head office of police, by way of mortgage; and was not the balance paid out of the pawnbrokers' fund, namely, 14 *l.* by Mr. Smith, their treasurer; and do not the pawnbrokers pay 6*l.* each a year to Mr. Smith, the treasurer of their body, to be by him distributed as he may think advisable, without rendering any account thereof for gratuities, &c.?—The first question that an answer is required to is, as to Mr. Cox's, a money transaction; I never knew Mr. Campbell advance him or give him money for any purpose; I heard

I heard of his once discounting a bill for him for 14*l.* or 15*l.*, and the man's salary being so low in his situation that when the bill became due that he was not able to pay it, and it is now lying unpaid; but he will pay it, and it is understood in no other light than that of a fair *bonâ fide* bill discounting transaction.

2413. Was not the bill taken up by Mr. Smith?—It was not.

2314. By Mr. Smith, your treasurer?—It was not; the bill is out now.

2415. Do you admit that you pay 6*l.* a year to Mr. Smith, to be by him distributed as he may think advisable, without rendering any account therefore for gratuities, &c.?—We agree among ourselves to pay 6*l.* a year; I am the collector of that, and they do not pay the quarter of 6*l.* a year, for there is no necessity for it.

2416. Do you get 10 per cent. for collecting that money?—I do not; up to six months ago, as long as I have acted as secretary, I never received any thing for my services, and about that time I found it very unpleasant to be losing my time, and paying car hire to be going round the city from one pawnbroker's to another, out of my pocket; when I mentioned it, they said they would give me six per cent. for collecting the money to pay my car hire; that has only happened within the last six months, and I have collected a very small sum, not 50*l.*; it would not amount to any thing like the expense I have been at.

2417. Is there any thing else you wish to state?—I am not aware of any thing else.

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EXTRACT from APPENDIX to FIRST REPORT of COMMISSIONERS of MUNICIPAL CORPORATIONS, *Ireland*; 1835—(pp. 36, 37, 38).

THE present functions of the marshal are twofold: those belonging to his office as ministerial to the City Court of Record; and those conferred on him by the statutes constituting him register of pawnbrokers' licenses in Ireland, and an auctioneer of forfeited pledges.

The marshal executes and returns the process of the City Court of Record, called the Lord Mayor and Sheriffs' Court, and returns the juries for trial of issues joined therein.

His principal duties in this respect relate to the storage and sale of goods seized under the process of attachment from that court.

The goods are seized, under this process, by the serjeants-at-mace, by whom, if bail be not given in four hours after seizure, the goods must be conveyed to the marshal's store, which is now held at an extensive public establishment for the sale of property, called the Commercial Mart. If bailed before twenty-one days after seizure, the goods are returned, upon payment of 8*s.* 4*d.*, consisting of a fee of 4*s.* 2*d.* for what is called an "entry," and a similar sum of 4*s.* 2*d.* for a discharge, besides a charge for storage, which is regulated by the amount of the attachment, and not by the size or number of the goods under seizure.

The charge is 6*d.* per night upon an attachment for a sum under 20*l.*; 10*d.* when the attachment is for a sum over that amount.

Thus if a watch worth but 1*l.* be seized upon an attachment for 21*l.*, the charge on it would be 10*d.* for each night's storage. Horses seized are put to livery and charged accordingly. According to the rules of the court, no execution can be issued until the goods have remained in the marshal's possession unbailed for twenty-one days.

Upon the execution being lodged with him, he proceeds to sell the goods seized, and generally arranges the day of sale with the plaintiff's attorney, giving from one to four days' notice of the sale, by posted notices and advertisements in the newspapers. The sale is by an auctioneer, employed by the marshal, and paid by him out of his own fees, which are, under the general statute regulating fees on writs of execution (6 Anne, c. 7), 1*s.* in the pound upon any sum under 100*l.*, and 6*d.* in the pound upon any sum over that amount.

In the event of a sale, the storage, and other charges above mentioned, and the costs of the advertisement are levied out of the proceeds of the goods.

It is stated that attachments are generally bailed, and that, consequently, few sales take place.

In cases of disputed property in the goods attached, the marshal may impannel a jury, and hold a Court of Inquiry; but in practice he decides such questions upon affidavits, on which he charges a fee of 2*s.* 6*d.* each.

In reference to his functions in returning juries to the City Record Court, the marshal states it to be his practice to summon from twenty to twenty-five of the most respectable persons in the neighbourhood of the court to attend as jurors, and in default of a sufficient number of those summoned, talesmen of the by-standers, who are warned to attend (often personally by the marshal), but not summoned, are put upon the jury.

A sum of 1*l.* is paid to each jury on bringing in their verdict; and the marshal admitted, that if he thought the money given to a juror would be an object to him, he would summon him to attend, if he considered him a respectable man.

Few arrests are made under process of the Record Court.

The marshal states that his fees upon arrest are 1*s.* in the pound, when the arrest is for a sum under 20*l.*, and 6*d.* in the pound when over. Arrests on mesne process for sums under 20*l* are now abolished.

We

We have not found any statute authorizing the fees just claimed.

The marshal, for the due performance of his different duties, gives security in 2,000 *l.* to the corporation.

The gross receipts of the office, from the execution and returns of the process of the City Court, were, for the twelve months ending December 1833, about 220 *l.*

By the first statute regulating the trade of pawnbrokers in this country, 26 Geo. 3' c. 43, s. 40, the marshal of the city of Dublin has been constituted "register of pawnbrokers' licenses in Ireland." His duties, as such, under this statute are to register the certificates to be furnished to him by all pawnbrokers of their names and sureties, and to receive from them and enter in his registry books accounts of the sums lent in each month, and return true abstracts of those monthly accounts to either House of Parliament in the first week of each session.

He is entitled to a fee of 5*s.* on the registry of each pawnbroker's certificate; but in practice very generally receives a guinea, sometimes two guineas, for this service. The payment of the larger sum is stated to be made under a regulation of the trade.

All pawnbrokers in Ireland are required, under a penalty of 40*s.* for each default, to send to the register monthly returns, containing an exact account of the number of sums lent in each preceding calendar month, and also the gross amount thereof, upon oath. With each of these returns the register is entitled to a fee of 1*s.* from the pawnbroker.

These returns he is directed, as above stated, to lay before either House of Parliament the first week in each session.

It is stated by the present marshal (who is not long in office), that he receives returns every year of the amount of money lent on pledges from all pawnbrokers in Ireland. The observance of the provisions of the statute appears, however, to have been heretofore habitually neglected by pawnbrokers, and not enforced by the register. It has appeared in evidence before the Commissioners, in some country towns, that for many years the marshals of the city of Dublin had acted on arrangements with the country pawnbrokers not to ask for any returns, on getting an annual payment of 1*l.* from each, and that the pawnbrokers accordingly made no returns; while the marshal had thus created a sinecure income of considerable amount, by compromising an important duty of the office. There is a conflict of evidence on this subject, even as to the present marshal; for while his statement is as we have mentioned, the country pawnbrokers allege that the same system still continues. One pawnbroker, examined in Dublin, stated that he made the monthly returns; another admitted that he himself did not, and added that he did not know any one who did.

The marshal admitted that he received 1*l.* a year from some of the pawnbrokers, and a printed form of receipt was produced in Belfast, as sent by the marshal, for the sum of 1*l.*

The marshal is also, under the 28 Geo. 3, c. 49, s. 9, an auctioneer of forfeited pledges for one of four divisions of the city, appointed for the sale of them by that statute: this section recites that the sword-bearer and marshal had, from time immemorial, been in the receipt of certain fees, for the appraisement of goods and articles pledged or pawned in the city and county of the city of Dublin, and employed as auctioneers for the sale of forfeited pledges. The appointment of the two other auctioneers was given to the lord lieutenant.

Their fees, as auctioneers, are regulated by the 13th section of the statute.

They are 1 *d.* in the shilling for every article, or number of articles, the property of any one person, sold for any sum under 20*s.*

1*s.* 4*d.* in the pound for any sum amounting to 20*l.* and not to 40*l.*

1*s.* in the pound when over that sum.

And these fees are directed to be in lieu of all other demands theretofore charged, such as warehouse and auction-room rent, advertising handbills, posting and distributing the same, and clerks and porters for their attendance on such sales.

After forfeiture, and before sale, of all goods pawned, on which over 4*s.* has been advanced; it is made compulsory by the 14th section, under penalty of 5*l.* for each offence, upon all pawnbrokers within the district of the Dublin metropolis, or within three miles thereof, to require the borrower, by notice, to redeem within fourteen days. These notices they are directed to have served by the register, to whom they are to give a fee of 3*d.* for each notice served, where the principal sum lent amounts to 4*s.*, and does not exceed 20*s.*, and 4*d.* if over 20*s.*

These fees for serving the notices had been commuted many years since, by arrangement between the marshal and pawnbrokers, for a fixed sum of 5*l.* a year, and remained fixed at that sum until the present marshal came into office. He has raised the annual composition to 6*d.* from each. For this sum the marshal undertakes to have all services effected upon a certain day, from which the pawnbrokers date the fourteen days to redeem, and he employs a person to perform that duty; but neither the pawnbroker nor the marshal makes any inquiry as to whether the notice has been actually served or not.

Each of these four auctioneers is required, by section 18, to keep an exact account of the amount of goods sold for each pawnbroker in each month, and to make monthly returns of

such accounts to the register for the time being (upon oath if required) under a penalty of 40*s.* for each default; and the marshal is required to annex abstracts thereof to the pawnbroker's returns, before referred to, and deliver them therewith for the inspection of either House of Parliament.

These returns are not made or demanded.

The marshal does not act as auctioneer, but farms out his office at 3*l.* a week, besides having received a gratuity of 75*l.* upon the appointment. The deputation to the acting auctioneer is for his (the marshal's) life, and is made, we presume, under colour of that section of the statute which authorizes the appointment of sworn clerks or assistants.

The lessee of the office of auctioneer is permitted to regulate the place and mode of sale in any manner which his interest may dictate, unchecked either by the enforcement of the returns commanded by the statute, or by the personal superintendence of the marshal.

The marshal in no way interferes in the business of the sales by auction; he rarely even visits the sale-room, and requires no account from the lessee.

From the different sources of emolument connected with his office, the marshal derives a net income, after payment of his clerks and messenger, of about 650*l.* a year.

The duties of his office as auctioneer of forfeited pledges are, as we have seen, entirely performed by deputy. For those of the office of register of pawnbrokers he receives considerably greater fees than are prescribed by statute, and from persons whose observance of the law in other particulars he himself is, to some extent, bound to see enforced. These two branches of the office of marshal appear thus to confer on that officer a very considerable income, without, in our judgment, any adequate return of useful service to the public.

There is some pecuniary responsibility attached to the office, and, as auctioneer of pledges, the marshal is bound to give security himself in 1,000*l.*, with three sureties for 300*l.* each, in addition to the bond for 2,000*l.* given by him as marshal to the corporation.

Much, and in some respects conflicting evidence, was given before us on the mode of conducting sales of forfeited pledges, by the farmer of the office of auctioneer, under the marshal, and by the sword-bearer and other divisional auctioneers or their "assistants."

They are held in obscure parts of the city: all valuable articles, such as plate, jewellery, &c. are sold by night: there is not any catalogue prepared or used; in some instances the sale is not advertised, and there is no notice of it in any case given to the public in the manner usual at other auctions, by having it announced by a person stationed in the street. The auction-rooms are represented to be quite unfit for the reception of respectable persons, and it appears that, in some instances, the principal sale, that of plate, jewellery, &c. takes place at the remote end of the room; while the part next the entrance is occupied by a crowd of persons, assembled at a separate auction of forfeited wearing apparel and such cheaper articles, so as to make it difficult for a stranger to know or see what is going on inside, or to get through the intervening crowd.

By the auctioneers the sales by night are represented as beneficial, as inducing the attendance of persons in trade, who could not with convenience attend the sales if held during the day; but the persons who so attend are usually those who purchase to sell again, and who of course cannot be expected to offer as advantageous terms for the sellers as would be obtained from the general competition of the public. The system of sale is, in other respects, calculated more for the interest of such buyers than of any others; as it is admitted that articles of plate, jewellery, &c. are put up to sale as they come from the pawnbrokers without being previously cleaned, so that persons unacquainted with the trade have no means of forming an opinion of their value. The public have in fact no opportunity of previous inspection or examination of the articles to be sold, nor any notice of the particular objects to be disposed of. They are sent in just before the sale from the pawnbroker's office, and handed to the auctioneer by the pawnbroker's clerk as he proceeds in the sale.

The attendance of the class of buyers we have mentioned, and who may be said nearly to monopolize the purchases, is encouraged by a system adopted by the auctioneers of giving credit to such persons: this credit generally varies from three to five months.

These persons are familiarly termed "jobbers."

They act as a body, and attend at every sale. Should any stranger (not one of the body) attempt to purchase, it is alleged that they raise the article far beyond its real value, and thus deter strangers from bidding for valuable articles at those sales.

An impression exists, and was conveyed to us in evidence, that, as the auctioneers give long credit to these jobbers, they are naturally interested in securing their own repayment by letting them have the articles set up to auction upon the most reasonable terms.

The imputation of collusion between auctioneers, pawnbrokers, and jobbers at those sales, was however strongly denied on the part of the auctioneers, and they alleged that the articles sold at them often brought more than the real value. We have not the means of ascertaining the accuracy of this representation in detail, but it was admitted that the articles sold rarely produced more than the sum advanced on them by the pawnbroker,—a fact, which, it was represented, was to be accounted for by the circumstance that the articles brought to sale,

sale, as forfeited pledges, were generally those on which the pawnbrokers had made improvident advances; but which may be at least equally well explained by the absence of any party having an adequate interest to advance the biddings after they reach the sum sufficient to meet the pawnbroker's demand.

By this monopoly of the places of auctioneers of forfeited pledges all competition on the part of other auctioneers for these sales is excluded, and in the places, time and conduct of the sales the interest of the owners of the property sold is, we apprehend, but little regarded. The appointees of the offices, by the system of farming them to the "assistants," reduce them to places of sinecure emolument to themselves, abandoning all attention to the conduct of an establishment, which, if it be permitted at all on the present exclusive system, ought to be watched with vigilance for the protection of the poorer classes of society. The importance of these situations may be judged of by the fact, that the profits of the farming auctioneers are stated to average from 800*l.* to 1,000*l.* a year, in each of the two best divisions—those of the marshal and sword-bearer; and from 300*l.* to 800*l.* in each of the two others.

In the places and condition of the auction-rooms, the practice of night sales, the want of proper catalogues of the articles to be sold, and the absence of fit opportunity for public inspection and examination of the articles, and fair competition for their purchase, the present system of these auctions is highly objectionable. Whether, in addition to such regulations as would check these prominent abuses, it may not be expedient altogether to abolish the present monopoly of such auctions, is matter for serious consideration.

EXTRACT from APPENDIX (C.) Part I. of POOR INQUIRY, *Ireland*—(pp. 19, 20).

THE pawnbroking trade has been increasing rapidly for the last twenty-five years. At the commencement of that period there were but three pawnbrokers' shops in Belfast, and at present there are forty-one. The feelings of shame which formerly prevented pledging have disappeared, and the practice is now resorted to openly and without hesitation. It is also spreading itself through the country.

The Assistant Commissioners received much information on this subject from Mr. Devlin, an auctioneer and appraiser, who sells for nearly all the pawnbrokers in town, and from Mr. Aiken, a most respectable pawnbroker. The number of tickets issued by each of the pawnbrokers, on an average, monthly, Mr. Aiken says is about 2,000; so that the pawnbrokers together make upwards of 4,000*l.* a year by tickets alone.

Mr. Aiken also states that, though his numbers are 1,200 per month, he makes nearly 200*l.* a year by his tickets; and another instance was mentioned to the same effect. If the sum paid for pawnbrokers' tickets be compared with the subscriptions to all the charitable institutions of the town, it will be found that the former very nearly equals the latter.

This sum received for the tickets, added to the profits, renders the business of the pawnbroker very lucrative; and many persons who have set up with little or no capital have realized fortunes in a short time.

Cortland M. Skinner, Esq., who held a situation in the police, was also examined, and the Assistant Commissioners received from him and Mr. Devlin the following information with regard to the trade: That it is the custom with some persons to set up as pawnbrokers in the suburbs of the town for the most suspicious purposes, where there are most of the class of unfortunate females, and, as there is a total absence of any superintendence on the part of the police or constituted authorities, the houses are kept open till eleven and twelve o'clock at night, and are accessible at all hours, so that many things stolen often find their way into the pawnbroker's shop before morning. Warrants are issued on complaint of such occurrences, and a variety of litigation ensues.

Such persons charge only ½*d.* for receiving goods, and give no tickets at all, being certain that the pawners will never claim the goods. In fact, the transaction is a sale, with the understanding that the property shall not see the light for six months.

Mr. Skinner and Mr. Robert Grimshaw, a magistrate, both state that the pawnbroker must know that the goods are stolen, and that, notwithstanding this, any one who chooses to receive stolen goods may do so with impunity. The magistrates have tried every way to reach them, but found it impossible.

It is at the same time acknowledged by all, that when stolen goods are found in the broker's possession, he gives every assistance towards discovering the thief.

There is also a class consisting of petty dealers, who set up with a small capital, and whose business extends principally to lending 6*d.* or 8*d.*, and with whom 5*s.* is a large advance. It is not unusual with such to make nearly 2,000 advances in the month, averaging 4*d.* or 5*d.* Their chief emolument is from the number of tickets they issue, and they accordingly endeavour to increase the number as much as possible, which they effect by diminishing the amount of the sum lent.

So sensible have the respectable part of the pawnbrokers been of the abuses that were practising, that some time ago fifteen of them came forward to the magistrates requesting that an annual license should be taken out, and offering to pay 100 *l.* a year each for the licenses. Mr. Williamson even offered to pay the expense of a new Act for that purpose; but, in consequence of the petitions and representations of the other pawnbrokers, the magistrates did not interfere.

The Assistant Commissioners endeavoured to trace the cause of the great extent to which the business of pawnbroking has attained, and find that a considerable portion of it consists of weekly or two-weekly deposits.

These deposits are generally the Sunday clothes of the labouring classes, which they pledge on Monday morning and release on Saturday night, either by payment of money or by deposit of their tools. The sums obtained on the deposits are generally 10*s.* to 1*l.* 10*s.*, and the pawnbroker, when he has confidence in his customer, lends to the full value, it being his interest to lend as much in this way as possible.

This practice prevails to a great extent among mechanics and persons employed in the various mills; so much so, that, according to Mr. Devlin, it furnishes nearly two-thirds of the deposits taken in by the pawnbrokers who live in the neighbourhood of those mills.

An estimate of the extent to which this system of weekly deposits is carried may be formed from the excess of the number of deposits on Monday above those of the other days of the week. In the establishment in which Mr. Devlin was formerly a pawnbroker, which issued about 3,000 tickets per month, the numbers given out on a Monday were from 180 to 200; while those on the other days, Saturday excepted, were not more than 80 or 90. On Saturday the number amounted to 140 or 150. This results from the custom of exchanging pledges in order to get out Sunday clothes or to procure whiskey on Saturday night.

No satisfactory evidence could be obtained of the proportions of the cases from necessity and for intoxication; but Mr. Aiken states that a great many of the pledges are for the latter purpose. Mr. Devlin is of opinion that "one-third of the pawning may be for the purpose of procuring whiskey."

At all times a great deal of the money raised by pledging is devoted to the purchase of spirits; and much of that obtained for the purpose of procuring articles of necessity would not have been applied for had it not been from the poverty caused by indulging in drink, in which it often happens that a very serious proportion of the wages of a mechanic or labourer is consumed on the Saturday night. The consequence is, they resort to the pawnbroker early in the week in order to procure sustenance for their families.

However, that much of the pawning is for the purpose of sustenance is evident from the sensible increase of the number of the tickets issued during the times when there is a want of employment or a scarcity of food. According to Mr. Devlin, the increase may be taken at from 3,000 to 3,600 a month in May, June, July, December, January and February. This arises from a scarcity of food in the first three months, and want of employment in the last.

It must also be noticed that in certain cases pawnbroking is resorted to for the purpose of carrying on a trade. Mr. Devlin says, "Money is frequently raised for that intent by pawning."

As evidence of the extent to which pawnbroking prevails, Mr. Aiken mentions a fact, that some persons have as many as thirty tickets from him at the same time.

The number of pledges sold during each month by each pawnbroker is found to be about 300.

Inquiry was made how far the law for the protection of those who pledge is observed.

By the 26 Geo. 3, cap. 43, sec. 14, it is enacted, that no person shall be permitted to engage in the business of a pawnbroker until he shall execute a bond for the sum of 300*l.* conditioned for the faithful discharge of all trusts relating to such business, and of the duties thereby required of him, and shall procure three proper and sufficient persons, each of whom shall enter into a distinct bond for the sum of 100*l.*, conditioned that the said pawnbroker shall faithfully discharge the several duties required of him, which bond shall be made payable to the treasurer or town clerk of the county or town in which the pawnbroker shall reside.

The Assistant Commissioners learned from the town clerk that none of these bonds have ever been put in suit, and that in some instances the bonds have never been perfected. There are various complaints made against pawnbrokers before the magistrates—one for selling the goods before the proper time, another for using the articles pledged; and this is stated by Mr. Devlin to be a matter of frequent occurrence.

Another practice resorted to by the pawnbroker is to deliver to the auctioneer other articles than those really pawned. Mr. Devlin stated that he knew an instance of a pawnbroker bringing to him for sale an inferior coat to the one deposited: this is a practice that might be resorted to often, and he believes firmly that it is.

Sir Stephen May also mentioned a case of great hardship:—

A man left off business, sold off the goods that had been pledged with him, and went off without paying the money to the persons who had pledged them, and then set up one of his relatives in the same business.

The

The magistrates were applied to, but could not interfere, as he had contrived to keep within the provisions of the Act, which provides that no goods shall be sold until the expiration of a year, except in the cases particularly mentioned in the Act, unless such pawnbroker shall die, fail in his credit, or discontinue business.

The most serious evil in the whole practice of pawnbroking is mentioned by Mr. Devlin. It is a pretty general practice for the pawnbroker to reserve for the close of a sale, or to put up at a time when he sees there will be no competition, any articles which he may himself wish for, such as plate, jewellery and watches. All articles of this kind are chiefly bought in by the pawnbroker for the purpose of selling them at his own house.

So strongly have Dr. Crolly and Dr. Tennant been impressed with a sense of the evils resulting to the poor from the present system of pawnbroking, that they have long had it in contemplation to institute a voluntary pawnbroking establishment.

They think that such an establishment might be managed advantageously to the poor by a voluntary committee; that it should lend money without interest to the poor; that, if the time for redeeming any articles pledged elapsed, and the party, upon a proper investigation, proved unable to redeem them, the committee should have the power of extending the time for sale; and that, whenever they suspected that the money required was for the purchase of drink, they should have power, after investigating the case, to refuse the application.

Dr. Crolly is of opinion that, instead of selling the goods, they might give them at a low valuation to the poor-shop—a charity where clothes are given to the poor *gratis*.

No persons are more sensible than the magistrates of the present bad condition of pawnbroking, and they have expressed their intention to apply for a new Act of Parliament to regulate the business.

EXTRACT from Appendix (C.) Part I. of Poor Inquiry, *Ireland*—(p. 26).

Mr. S. Lehan, who has given attention to the subject of pawners, states that in 1800 there was only one pawn-shop in Cork; there are now fifty. Several witnesses spoke of the evils resulting from them by the facility they afford to raise money on clothes, which is frequently spent on spirits. It was admitted, however, that they are often of great service, by enabling persons in distress to raise money on their goods, and thereby preventing starvation. Bishop Murphy considers that the introduction of establishments regulated as the Monts de Piété, in France, would be very beneficial.

EXTRACT from Appendix (C.) Part I. of Poor Inquiry, *Ireland*—(pp. 79, 80).

This practice prevails here at present to a considerable extent. There are three pawnbrokers in the city; the number of tickets issued by one of them amounts yearly to about 30,000, while it was scarcely known before 1812. The persons we first examined on this subject were the pawnbrokers, Mr. John Williamson, Mr. John M'Cormac, and Mr. — Close. Their customers consist principally of mechanics, labourers, small dealers, and persons who have small portions of land; we have found some difficulty in ascertaining the proportion of those who pawned from necessity, or for spirits, as we could have no guide but general opinions, and the admission of the pawnbrokers. We are, however, of opinion that a majority of the pledges is for the purpose of procuring the necessaries of life. That there are a great many pledges left for the purpose of obtaining whiskey is undeniable, and both Mr. Williamson and Mr. Close, pawnbrokers, admitted that it is a very frequent occurrence for men to pledge for the purpose of procuring it. We regret that this pernicious habit extends also to the females, who, in this manner, have a facility afforded them of indulging in this practice which they otherwise would not, and we are sorry to add that many females have got into habits of intoxication, and that, in some instances, if they are refused when they come to pledge, they send others in their place.

The second class of those that pawn may be divided into two,—those that pledge for the purpose of carrying on some trade, and those that pledge from immediate necessity. Among the first, Mr. Close says, "Shoemakers often pledge some of their clothes for the purpose of buying leather to make a pair of shoes, and when they are made they put them in pawn, to obtain money to buy leather for a second pair, and in this manner they go on until, in some instances, they have five or six, and, in others, a dozen of pairs, which they thus keep until a market-day, or until the season for selling shoes arrives; they then sell a pair, and come and release a pair or two more, and thus go on until they have sold the whole." The profits of the pawnbrokers in these multiplied transactions are great, while the whole profits of the shoemaker are from 10*d.* to 1*s.*

Butchers and small dealers also manage to trade in like manner. Pedlars, too, put in the remainder of their old stock, and purchase more. Another class is the agriculturist, who pledges either in the spring for seed, particularly after a miss in the crop, or else from May to September, when the crops come up. This class does not seem to be large; it may form one-tenth of the whole; it is, however, increasing: also when the sessions are approaching, and they are threatened with a process, they apply to the pawnbrokers, and also to enable them to pay the county cess: in fact, the least payment the poor have to make, application

is made to the pawnbroker, as we may see in the evidence on the Poor Shop and Charitable Loan.

Of those who resort to the pawnbrokers, the most remarkable are the well-known class of weekly pawners, who, although they do not exist here in such numbers as at Belfast, still form a considerable portion of their customers. These persons regularly put in their Sunday clothes on Monday morning, and release them either with money or some other articles on Saturday night. All the pawnbrokers admit an increase of numbers of their tickets from about thirty to forty on Monday in consequence; and Mr. Close states that from one-fourth to one-half of the clothes that go out on Saturday come in on Monday: in fact, the practice has gone so far that there are well-known suits which always come in regularly.

The sum advanced on a suit of clothes is generally from 20 *s.* to 30 *s.*; but the pawnbrokers indulge such practices so far as to advance liberally to those they have confidence in, as they get more interest by it. Saturday's number of tickets is also considerably increased in consequence; indeed they sometimes nearly equal Monday's.

It is remarkable that this practice increases according to the times growing better. "The pawnbroker has no customer," says Mr. Close, "like a mechanic; when the times are brisk the money turns in and out so rapidly." This custom of exchanging prevails to a great extent.

The average number of tickets issued by each pawnbroker is then about 100 per day; a great number of pledges are taken under a shilling. As to the numbers sold, one pawnbroker states he does not think one-tenth of the articles pledged are sold; and Mr. Close's sales for three months amounted to about 60 *l.* The average sum advanced by Williamson is 3,000 *l.* a year; Close, 2,500 *l.* We subjoin the particulars of the latter.

The following is the RETURN of Mr. *Close*, Pawnbroker, showing the Number of Tickets and Amount issued by him each Month.

	Tickets.	£.	s.	d.
January	1,506	126	1	9½
February	1,862	173	2	–
March	2,575	231	11	–
April	3,155	292	15	4
May	3,178	283	3	11
June	2,638	251	8	11½
July	2,520	210	6	7
August	2,581	201	–	6
September	2,140	174	12	–
October	2,744	198	10	6
November	2,130	180	3	1
December	2,256	188	15	3
	29,285	£.2,511	10	11

For the year 1833.

Every year since he commenced, the number of tickets has increased; this year they will be much more.

We have inquired how far the law for the protection of those who pawn is observed, and we find no auctioneer and appraiser has been appointed in this city. The pawnbrokers memorialized the grand jury for the appointment of an auctioneer and appraiser; but the grand jury, not thinking one necessary, did not appoint one.

We have been informed it is not usual for the lower classes to look after the surplus of the money produced by the sale of goods, and that a great part, indeed almost the whole, of the surplus finds its way back into the hands of the pawnbroker. Mr. Close states "that before he came it was never the practice to return it; but that now the pawners frequently look after it: in two instances he has returned sums,—one for about 2 *l.*, another for about 1 *l.* 16 *s.*" There are some of those pawnbrokers who give no notice whatsoever of the auction, further than that the bellman goes round in the morning of the sale, and announces it. The pawnbrokers always pay, in case of a demand made on them, any surplus that remains after their charges are deducted; but they do not pay unless a demand is made.

We have learned from competent authority that, in consequence of the course at present pursued by the pawnbrokers, there is in general very little surplus on any articles of consequence for those that do apply; this is effected in the following manner:—Whenever the pawnbroker wishes for some articles which may be worth 7 *s.* or 8 *s.*, he bids for them himself. He watches the time when the room is thin, and puts them up. In this manner it frequently happens that articles that are worth 1 *l.* 5 *s.*, and on which 7 *s.* are lent, are bought in by the pawnbroker for about 8 *s.*; and if any one comes to look for the surplus, then the pawnbroker shows them the book, and charges a penny on each article for the search. The pawnbrokers sell a great quantity of goods by private sale, which they have purchased at a low rate by auction.

RETURNS from the MARSHAL of the City of *Dublin*.

YEAR ending DECEMBER 1832.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £. s. d.	OBSERVATIONS.
1	Armagh	Hugh Campbell	Sept. 1832	2,278	155 3 10	
2	Athlone	Timothy Murray	March 1830	2,080		
3	ditto	Michael Noone	July 1831	1,300	- - -	since declined.
4	Bandon	Richard Williams	August 1819	2,606	547 13 6	
5	ditto	Thomas Bennett	January 1821	- -	1,137 12 –	since dead.
6	ditto	William Kingston	October 1821	- -	2,290 – –	since dead.
7	ditto	George Harris	May 1825	- -	1,216 – 1	since declined.
8	ditto	John Shine	February 1828	12,146	2,297 8 5	
9	ditto	Robert Fuller	Sept. 1828	- -	942 17 2	
10	ditto	Joseph Bennett	- - -	- -	3,334 19 11½	
11	Cloughnakilty	William Bennett	Nov. 1822	- -	2,376 – –	
12	Clonmel	Mary A. O'Neill	- - -	20,000	1,800 – –	since dead.
13	Dublin	Prudence Henderson	May 1830	27,936	4,621 2 3	
14	Dungannon	Thomas Agnew	January 1828	9,275		
15	Dungarvan	Edward Patterson	March 1831	13,002	1,612 12 2	
16	ditto	Patrick Ronayne	- - -	21,420	4,384 17 9	
17	Fermoy	Denis Downing	October 1830	8,164	1,027 18 3½	
18	Kinsale	D. F. Sullivan	July 1818	4,248	498 18 6	
19	ditto	Mary Williams	March 1825	- -	4,741 11 2	
20	Loughrea	John Dillon	March 1826	12,125	924 4 11	
21	Londonderry	Bernard Close	March 1826	16,233	1,423 14 9½	since declined.
22	ditto	John M'Cormick	July 1831	- -	1,740 – –	
23	Monaghan	James Gallagher	Dec. 1825	9,326	658 12 4	since declined.
24	ditto	John Hewitt	May 1827	9,223		
25	Montrath	William Tracey	May 1829	15,000		
26	Markethill	William Grey	Nov. 1831	4,174	523 1 5	
27	Mountmellick	William Baker	Sept. 1832	1,698	262 – 9	
28	Nenagh	William Heneby	June 1830	- -	536 – –	since dead.
29	Newry	Thomas Laing & Co.	January 1829	16,233	1,423 14 9½	
30	Newtownhamilton	John Mills	February 1831	- -	261 12 9	
31	Passage, West	Daniel Heagerty	April 1831	- -	926 4 7½	
32	Roscommon	J. B. Beech	July 1830	8,522	834 10 –	since declined.
33	Rathfryland	James Savage	February 1832	5,002	488 19 9	
34	Tullamore	Laurence Mackey	April 1832	- -	1,688 13 3	
35	Waterford	Anne Todd	Oct. 1832	- -	623 16 4	
36	ditto	Hannah Pounder	- - -	15,413	2,329 12 6½	
37	Youghall	Thomas Browne	January 1818	14,896	798 8 9	since dead.
38	ditto	Catherine Walsh	February 1820	34,413	5,571 13 –	since dead.
39	ditto	Susan Meilin	Nov. 1832	16,988	2,300 10 11½	since dead.

I certify the foregoing to be a true account of the Returns I received this (my first) year from the Pawnbrokers of Ireland.

So answers

John Judkin Butler,

21 April 1838. Marshal of Dublin, and Register of Pawnbrokers in Ireland.

YEAR ending DECEMBER 1833.

1	Armagh	James Starr	January 1822	14,408	3,428 3 2	since dead.
2	ditto	Margaret Robinson	July 1824	- -	1,130 1 11½	
3	ditto	Hugh Campbell	Sept. 1832	13,428	1,666 3 2	
4	ditto	Laurence Sherry	March 1833	7,710	608 19 4½	since declined.
5	Athlone	Timothy Murray	March 1830	2,000		
6	ditto	Michael Noone	July 1831	1,200		
7	Bangor	Alexander Miller	June 1833	1,935	145 4 2	
8	Belfast	William Jenkins	March 1821	36,919	4,173 17 4	
9	ditto	William Gilbert	August 1824	41,250	6,505 – –	
10	ditto	James K. Patterson	Sept. 1824	34,041	3,445 2 2	
11	ditto	Robert Gilmore	January 1826	42,277	3,579 17 6	
12	ditto	Robert Beggs	July 1829	19,265	1,822 17 2½	
13	ditto	James M'Kee	January 1830	31,712	2,499 6 10½	
14	ditto	Jane Moore	July 1831	5,202	330 2 10	since declined.
15	ditto	James Pelin	July 1831	31,647	3,009 9 8	since declined.
16	ditto	John M'Gillery	August 1831	9,242	1,033 19 7	
17	ditto	David Thoburne	March 1832	23,842	1,461 14 –	
18	ditto	Gideon Balantine	April 1832	6,908	435 16 9	since declined.
19	ditto	Henry Maguire	February 1833	15,339	1,741 4 1	
20	ditto	William M. B. Sibbin	March 1833	12,698	1,400 7 2½	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £. s. d.	OBSERVATIONS.
	YEAR ending December 1833—*continued.*					
21	Belfast	J. E. Lynn	May 1833	6,060	205 17 6	
22	ditto	James Marshall	August 1833	4,923	394 15 7½	since declined.
23	ditto	James Macartney	October 1833	713	90 10 4½	
24	ditto	Alexander Bradford	Nov. 1833	1,108	179 10 4½	since declined.
25	ditto	James Hillis		25,172	1,198 11 5	since declined.
26	ditto	Mary A. Davis		14,638	1,081 11 5½	since declined.
27	ditto	Anne Bingham		18,787	3,195 5 11½	
28	ditto	Robert Johnston		9,226	1,009 13 4	
29	ditto	George Hill		12,722	1,122 14 8	since declined.
30	ditto	J. W. M'Murtry		13,106	1,754 11 8	since declined.
31	ditto	Arthur Aickin		25,092	4,925 14 4	
32	ditto	William Anderson		36,243	3,988 8 9	since dead.
33	ditto	Anne Scott		19,891	2,487 14 7½	since declined.
34	ditto	Henry Patterson		33,452	2,025 14 –	
35	ditto	James & Edw[d] Sheales		25,566	2,031 13 7	
36	ditto	Eliza J. M'Knight		11,569	1,165 5 3	since declined.
37	ditto	Joseph Redding		11,437	1,438 7 9½	since declined.
38	Bandon	Richard Williams	August 1819	3,075	700 3 6½	
39	ditto	John Shine	February 1828	14,084	2,303 2 8	
40	Banbridge	Samuel Bradbury	January 1827		1,510 1 –	
41	Cloughnakilty	William Bennett	Nov. 1822		2,137 16 10	
42	Carrickfergus	William Reid	January 1822	16,787	1,452 11 1	since dead.
43	ditto	Hugh Stewart	February 1830	10,406	938 11 –½	
44	Dublin	Patrick Campbell	February 1815	105,875	15,428 14 5	
45	ditto	Christopher Wall	May 1818	115,706	8,560 12 11	
46	ditto	Henry Booth	Sept. 1818	69,780	10,185 4 9½	for Bishop-street office.
47	ditto	Henry Booth	Sept. 1818	88,162	15,358 1 5½	for Bride-street office.
48	ditto	Stephen Parker	March 1819	23,270	9,150 7 5	
49	ditto	James Simmons	April 1821	89,700	10,887 10 –	
50	ditto	John Quinn	March 1822	68,751	8,377 – –	since declined.
51	ditto	Michael Fahie	March 1823	93,367	11,081 7 6	
52	ditto	Patrick Gillespie	April 1830	91,004	10,044 18 –	
53	ditto	Prudence Henderson	May 1830	76,217	12,721 15 –	since dead.
54	ditto	Samuel Smith	May 1830	116,924	14,075 3 3	
55	ditto	Thomas Fannin	June 1830	87,283	21,891 12 2½	for Marlborough-street
56	ditto	John Spring	April 1831	15,126	21,019 3 11	office.
57	ditto	John Richardson	May 1833	50,718	5,191 12 4½	since dead.
58	ditto	Charles Marsh		7,640	8,291 3 5	
59	ditto	Thomas Fannin		49,014	8,280 18 2	for Townsend-st. office.
60	ditto	Kearns & Quinn		100,889	12,371 5 2½	since declined.
61	ditto	Arthur Wise		29,293	4,807 14 3	since dead.
62	ditto	William Dunne		41,096	4,243 7 2	
63	ditto	Joseph Sanderson		44,590	7,235 7 8	since declined.
64	ditto	David Fennell		98,267	11,444 17 8	
65	ditto	Laurence Redmond		80,458	9,274 – –	
66	ditto	William Brophy		109,406	12,432 15 9	
67	ditto	Augustine Byrne		112,272	16,724 6 11	since declined.
68	ditto	Samuel Spencer			7,112 14 1	
69	Dundalk	Christopher Crowe	February 1830	21,529	5,229 10 7	
70	ditto	Patrick M'Guinness	July 1831	11,165	1,092 1 –	
71	Dungarvan	Edward Patterson	March 1831	11,754	1,342 6 4	
72	ditto	Patrick Ronayne		19,071	2,189 – 3	since dead.
73	Enniskillen	William Armstrong	June 1831	16,100	1,183 – –	
74	ditto	Richard Bailey	May 1831	22,830	2,171 10 –	
75	Ennis	William Lardner	October 1833		449 – 10½	
76	Fermoy	Dennis Downing	October 1830	30,756	9,993 17 2	
77	Galway	Patrick Duggan	October 1832	17,654	1,918 17 3	
78	Kilkenny	Patrick Laracy	January 1828	10,811	1,096 14 1	since dead.
79	ditto	Louis Rorke	May 1831	16,569	1,899 17 1	
80	Kinsale	D. F. Sullivan	July 1818	2,020	209 10 9½	
81	ditto	Mary Williams	March 1825		4,178 3 1	
82	Londonderry	Bernard Close	March 1826	29,285	2,511 10 11	since declined.
83	ditto	John M'Cormick	July 1831	25,000	2,500 – –	
84	ditto	George Williamson	January 1832	24,985	4,831 2 1	
85	Loughrea	John Dillon	March 1826	15,940	1,120 16 5	
86	Lisburne	Hugh Seeds	April 1821		2,179 7 7	
87	ditto	Erskine Nealey	April 1821		1,614 18 11	
88	ditto	Jane Spence	April 1821		1,320 6 5	
89	ditto	Adam Dickey	June 1826		384 10 5	since declined.
90	ditto	Hugh M'Call	January 1828		1,460 17 11	
91	Listowell	William Hartnett		2,688	356 7 8½	since declined.
92	Mountmellick	John Haslam	August 1826	16,837	1,786 – 8	
93	ditto	William Baker	August 1832	15,420	2,007 14 5	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAME.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £. s. d.	OBSERVATIONS.
	YEAR ending December 1833—*continued.*					
94	Mountmellick	Benjamin Baker	Sept. 1832	7,770	1,110 – –	since dead.
95	ditto	James Fitzgerald	October 1833	891	83 10 2	
96	Maryborough	John Morgan	February 1830	9,000		
97	Monaghan	James Gallagher	Dec. 1825	8,514	596 7 4	since declined.
98	ditto	John Hewitt	May 1827	9,707		
99	Markethill	Francis Grey	January 1833	6,050	402 10 –	
100	Newry	George Frazer	– 1827	10,000	1,014 2 11	
101	ditto	Richard Whitehead	– 1827	13,414	1,822 – 11 ½	
102	ditto	James Bradford	May 1827	17,800	4,525 17 4	
103	ditto	Charles Murphy	January 1828	19,704	2,947 17 8	
104	ditto	Thomas Laing & Co.	January 1829	10,826	989 19 11 ½	
105	ditto	James Hutton	March 1830	11,173	1,159 – –	
106	ditto	James Wardlow	June 1831	–	788 2 10 ½	
107	ditto	Bernard M'Donald	February 1833	14,716	1,757 12 3	
108	Newtownhamilton	John Mills	February 1831	–	290 16 2	
109	Passage, West	Daniel Heagarty	April 1831	–	900 7 6	
110	Roscommon	J. B. Beetch	July 1830	7,915	739 2 –	since declined.
111	Rathkeale	Julius Ruttle	June 1824	11,866	1,362 1 8	
112	Tralee	Henry Ruttle	Nov. 1822	12,460	1,569 18 6	
113	ditto	Thomas Bunton	Sept. 1827	29,586	4,858 11 7	
114	Waterford	Fenton W. Case	June 1825	16,425	1,544 – –	
115	ditto	Elizabeth Slaney	March 1823	31,600	4,500 – –	since declined.
116	ditto	Robert Sheffield	May 1827	10,553	1,654 – –	
117	ditto	John Irwin	June 1827	35,470	6,643 4 11	
118	ditto	Edward Madigan	June 1828	24,362	2,486 17 –	
119	ditto	Catherine Flynn	February 1829	11,847	1,547 19 4	
120	ditto	Edward Grennan	October 1829	–	2,298 13 8	
121	ditto	Margaret Manning	May 1829	34,478	3,506 3 7	
122	ditto	John Noble	April 1831	10,753	718 16 4	
123	ditto	Anne Todd	October 1832	23,744	2,264 17 8	
124	ditto	Eliza Maher	– – –	1,010	85 8 9	since declined.
125	ditto	Hannah Pounder	– – –	25,311	3,657 3 3 ½	
126	ditto	Catherine Meath	– – –	7,786	812 – –	since declined.
127	Wexford	William Lee	January 1832	13,668	1,512 6 9	
128	Youghall	Thomas Browne	January 1818	14,883	639 17 2	since dead.
129	ditto	Catherine Walsh	February 1820	29,181	3,262 16 9	
130	ditto	James Prendergast	August 1831	19,610	2,466 – 6	since declined.
131	ditto	Susan Meilin	Nov. 1832	17,611	2,473 11 4	since dead.

I certify the foregoing to be a true account of the Returns I have received this (my second) year from the Pawnbrokers of Ireland.

So answers

21 April 1838.

John Judkin Butler,
Marshal of Dublin, and Register of Pawnbrokers in Ireland.

YEAR ending December 1834.

1	Armagh	James Starr	January 1822	23,950	3,626 9 –	since dead.
2	ditto	Margaret Robinson	July 1824	–	1,130 7 3	
3	ditto	Alexander Gibson	May 1826	19,366	3,098 9 3 ½	
4	ditto	Laurence Sherry	March 1833	22,994	1,936 11 6 ½	
5	Athlone	Andrew Hopkins	Dec. 1833	12,557	1,069 6 11 ½	since declined business.
6	Bangor	Alexander Miller	June 1833	3,729	315 13 9	
7	Boyle	Matthew Hart	May 1834	3,840	506 18 3 ½	since declined business.
8	Bandon	Richard Williams	August 1819	2,970	608 15 2 ½	
9	ditto	John Shine	February 1828	18,946	3,082 15 11	
10	Charleville	Richard Ralliegh	January 1829	6,302	853 1 –	
11	Carrickfergus	William Hendren	July 1824	984	83 – 5	
12	ditto	Hugh Stewart	February 1830	11,881	1,065 4 2 ½	
13	ditto	Thomas Johnston	Sept. 1834	17,468	1,580 7 8 ½	
14	ditto	Eliza Reid	Sept. 1834	17,468	1,580 7 8 ½	
15	Clonmell	Mary A. O'Neill	– – –	16,000	1,600 – –	since dead.
16	Cloughnakilty	Bennett & Sullivan	October 1833	–	1,028 13 9 ½	
17	Dungarvan	Patrick Ronayne	– – –	18,959	2,510 10 –	since dead.
18	ditto	Edward Patterson	March 1831	14,099	2,091 1 6	
19	Dublin	Christopher Wall	May 1818	29,668	4,751 14 8	for Mary's Abbey office.
20	ditto	Henry Booth	Sept. 1818	90,236	15,427 10 – ½	for Bride-street office.
21	ditto	Henry Booth	Sept. 1818	108,001	39,807 – 5	for Parliament-row office.
22	ditto	Henry Booth	Sept. 1818	62,653	9,435 – 4	for Bishop-street office.

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAME.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
	YEAR ending December 1834—*continued.*							
23	Dublin	Stephen Parker	March - 1819	22,532	8,523	–	2	
24	ditto	Robert Burrowes	March - 1819	64,446	8,666	2	6	since declined business.
25	ditto	James Simmons	April - 1821	79,250	9,135	10	–	
26	ditto	John Quinn	March - 1822	41,500	-	-	-	since declined business.
27	ditto	Michael Fahie	March - 1823	78,453	9,127	10	6	
28	ditto	John Anderson	March - 1828	38,700	9,357	6	6½	since declined business.
29	ditto	John Spring	April - 1831	104,473	16,303	4	7	
30	ditto	Richard Spring	April - 1831	73,889	7,770	5	9	
31	ditto	Michael Nowlan	April - 1831	112,857	13,513	13	4	for Dorset-street office.
32	ditto	Michael Nowlan	April - 1833	38,727	8,035	7	–	for Nassau-street office.
33	ditto	Thomas Charles	April - 1833	143,667	16,605	18	6½	
34	ditto	Thomas Smullen	April - 1834	79,793	8,716	15	1½	
35	ditto	James Power	May - 1834	44,748	4,575	2	5½	since declined business.
36	ditto	Thomas Murphy	- - -	112,445	18,595	9	3	
37	ditto	Patrick M'Garry	- - -	76,261	11,469	13	3	since dead.
38	ditto	William Parkes	- - -	124,316	17,314	17	–	
39	ditto	Eliza Macnamara	- - -	83,929	6,944	3	–	
40	ditto	William Dunne	- - -	9,2044	10,794	9	8½	
41	ditto	Christopher Wall	- - -	27,449	4,101	4	1	for Frederick-street office.
42	ditto	Francis Byrne	- - -	74,953	9,493	18	–½	
43	ditto	Thomas Macnamara	- - -	80,105	10,126	–	–	for Thomas-street office.
44	ditto	Thomas Macnamara	- - -	68,000	8,527	–	–	for King-street office.
45	ditto	Thomas Macnamara	- - -	65,700	7,300	–	–	for Beresford-street office.
46	ditto	Samuel Spencer	- - -	- -	8,247	6	10½	
47	Dundalk	Christopher Crowe	February 1830	47,108	4,943	4	1	
48	Dungannon	Thomas Agnew	January 1828	14,181				
49	Enniskillen	Richard Bailie	May - 1831	21,000	1,825	–	–	since declined business.
50	ditto	Richard Crookes	January 1834	- -	1,100	–	–	since declined business.
51	Ennistymon	Thomas Curran	October 1833	4,626	536	7	9	
52	Ennis	William Lardner	October 1833	- -	1,113	4	5	
53	Fermoy	Dennis Downing	October 1830	51,532	2,827	–	–	
54	Kinsale	George Williams	January 1832	- -	2,704	15	4½	
55	Killarney	John Carbury	Dec. - 1831	10,006	1,005	–	4	
56	Lisburne	Hugh Seeds	April - 1821	- -	3,881	5	3	
57	ditto	Erskine Nealey	April - 1821	- -	2,305	2	5	
58	ditto	Jane Spence	April - 1821	- -	1,605	–	7	
59	ditto	Hugh M'Call	January 1828	- -	1,643	2	1	
60	Loughrea	John Dillon	March - 1826	15,660	885	–	–	
61	Londonderry	John M'Cormick	July - 1831	24,000	2,400	–	–	
62	ditto	George Williamson	January 1832	26,304	4,791	18	10	
63	Monaghan	John Hewitt	May - 1827	9,403				
64	ditto	James Starr	February 1834	9,859	1,020	16	4	since dead.
65	Mountmellick	John Haslam	August 1826	20,951	2,402	1	9	
66	ditto	William Baker	August 1832	13,520	1,704	15	4	
67	Mountrath	William Tracey	May - 1829	20,000				
68	Newry	Richard Whitehead	- - 1827	13,561	1,858	3	–	
69	ditto	George Frazer	- - 1827	9,746	961	8	11	
70	ditto	Charles Murphy	January 1828	17,557	2,625	1	5	
71	ditto	Thomas Laing & Co.	January 1829	9,603	965	16	1	
72	ditto	James Hutton	March - 1830	10,467	1,577	11	–	
73	ditto	James Wardlow	June - 1831	- -	830	6	8	
74	ditto	George Quinn	May - 1832	13,775	1,905	6	–	since dead.
75	ditto	Henry Collins	Dec. - 1833	16,102	1,558	3	4	
76	ditto	Richard Harcourt	Dec. - 1833	14,041	1,086	2	4	
77	Newtownhamilton	John Mills	February 1831	- -	288	19	5	
78	Passage, West	Daniel Heagarty	April - 1831	- -	1,072	6	3½	
79	Rathkeale	Julius Ruttle	June - 1824	8,957	1,252	2	10	
80	Tralee	Henry Ruttle	Nov. - 1822	28,655	2,164	14	6	
81	ditto	James Bunton	Sept. - 1827	48,343	7,306	7	10	
82	Warrenpoint	William Johnston	October 1832	9,802	889	–	–	
83	Youghall	Catherine Walsh	February 1820	25,404	3,413	7	2	
84	ditto	Susan Meilin	Nov. - 1832	17,272	2,364	10	4	since dead.

I certify the foregoing to be a true account of the Returns I have received this (my third) year from the Pawnbrokers of Ireland.

So answers

John Judkin Butler,

21 April 1838. Marshal of Dublin, and Register of Pawnbrokers in Ireland.

RETURNS from the Marshal of the City of *Dublin*—continued.

YEAR ending DECEMBER 1835.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
1	Armagh	James Starr	January 1822	21,763	2,657	4	3	since dead.
2	ditto	Margaret Robinson	July 1824	12,584	1,323	12	3	
3	ditto	Alexander Gibson	May 1826	12,465	2,307	13	9	
4	ditto	Elizabeth Mathews	June 1831	15,994	-	-	-	since declined business.
5	ditto	Laurence Sherry	March 1833	19,089	1,435	16	3	
6	Antrim	Samuel Reid	Sept. 1831	8,831	734	6	7	
7	Athy	Jane Bailey	May 1831	20,160	1,152	–	–	
8	ditto	John Rooney	February 1835	11,482	902	17	9	
9	Athlone	Andrew Hopkins	Dec. 1833	12,999	1,143	16	7½	since declined business.
10	Bailieborough	Francis West	March 1835	2,025	354	5	7½	
11	Ballymacarrett	John Jacobson	June 1835	10,358	942	18	3½	
12	Ballyshannon	Richard Bailey	March 1835	10,370	1,933	5	–	
13	Banbridge	Samuel Bradbury	January 1827	15,111	2,062	14	10	
14	Bandon	Joseph Bennett	- - -	27,966	3,857	19	7½	
15	ditto	Richard Williams	August 1819	2,372	484	7	11½	
16	ditto	William Kingston	October 1821	13,710	2,282	11	9½	since dead.
17	ditto	John Shine	February 1828	20,138	3,336	9	5	
18	ditto	Robert Fuller	Sept. 1828	13,132	1,819	3	4½	
19	ditto	James Edwards	January 1826	19,688	3,772	10	4½	
20	Bangor	Alexander Miller	June 1833	3,187	319	19	11	
21	Belfast	Robert Johnston	- - -	18,508	1,526	7	1	
22	ditto	Anne Bingham	- - -	20,034	3,100	–	–	
23	ditto	Joseph M'Dowell	- - -	15,142	1,445	4	3	
24	ditto	William Gilbert	August 1824	45,608	9,113	3	6½	
25	ditto	James K. Patterson	Sept. 1824	27,114	4,871	11	10	
26	ditto	William Phillips	Sept. 1825	22,095	2,330	6	–	
27	ditto	Robert Gilmore	January 1826	26,065	2,963	5	8	
28	ditto	Robert Beggs	July 1829	24,780	2,856	10	3½	
29	ditto	James M'Kee	January 1830	35,935	3,632	15	3	
30	ditto	James Pelan	July 1831	34,499	4,145	10	5	since declined business.
31	ditto	John Brogan	August 1831	9,697	1,266	6	4	
32	ditto	William M'B. Sibbin	March 1833	12,511	1,975	1	–	
33	ditto	J. E. Lynn	May 1833	14,809	820	6	4	
34	ditto	James Marshall	August 1833	17,004	1,182	6	9	since declined business.
35	ditto	James Macartney	October 1833	5,801	658	14	6½	
36	ditto	Mary Patterson	July 1834	33,315	2,830	19	5½	since declined business.
37	ditto	S. & A. Bradford	Nov. 1834	7,693	826	14	9½	since declined business.
38	ditto	Margaret M'Kibben	Sept. 1834	8,269	303	4	9	
39	ditto	James Gilbert	Sept. 1834	15,411	1,766	9	5	
40	ditto	Henry Browne	Nov. 1834	26,435	1,960	11	5	
41	ditto	Hugh Kearns & Co.	March 1835	7,190	550	16	11½	since declined business.
42	ditto	John M'Dornan	August 1835	3,893	287	12	1	
43	ditto	James Worrall	August 1835	6,477	584	17	5½	
44	Boyle	Maria Murphy	July 1835	9,662	1,152	10	6	
45	Buttevant	James Ryan	April 1833	10,238	1,519	10	6	
46	Burrisakane	James Spring, jun.	July 1834	5,851	540	3	9	
47	Callan	Michael Lynch	April 1831	2,548	297	2	2	
48	Carrickfergus	William Hendren	July 1824	591	80	16	10½	
49	ditto	Thomas Johnston	Sept. 1834	4,353	352	1	1	
50	ditto	Eliza Reid	Sept. 1834	16,776	1,492	15	-½	
51	ditto	Hugh Stewart	Feb. 1830	11,147	1,100	16	8	
52	Carlow	James Comerford	July 1835	18,070	1,563	9	3	
53	Castlecaulfield	Samuel M'Minn	April 1834	141	15	15	1	since declined business.
54	Cavan	John Brady	Nov. 1833	12,579	1,465	9	7½	
55	Charleville	Richard Rallugh	January 1829	13,986				
56	Clones	John Brady	October 1829	8,271	1,005	–	8	
57	Clonmell	Mary A. O'Neill	- - -	9,964	2,812	9	9	
58	Cloughnakilty	William Bennett	Nov. 1822	12,259	2,514	6	1½	
59	ditto	Bennett & Co.	October 1833	11,680	1,386	–	-¾	
60	Cove	Arthur Waugh	- - -	3,000	789	1	6	
61	Donaghadee	James Ross	January 1830	9,644	893	13	11	
62	ditto	John Ferguson	January 1835	8,061	575	–	–	
63	Downpatrick	Henry M'Namara	May 1833	9,814	875	12	10	
64	ditto	James Yates Young	April 1833	6,054	644	7	6	
65	Drogheda	B. Finnegan	- - -	36,921	4,826	7	2½	
66	ditto	Joseph Montgomery	June 1829	37,746	3,741	2	5	
67	ditto	Alexander Carswell	March 1834	51,311	2,854	–	–	since declined business.
68	Dublin	William Brophy	- - -	78,574	10,240	11	4	
69	ditto	Francis Byrne	- - -	72,812	10,805	17	5	
70	ditto	Augustine Byrne	- - -	86,697	10,412	1	6	since declined business.
71	ditto	William Dunne	- - -	84,004	9,351	5	10	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
	YEAR ending December 1835—*continued.*							
72	Dublin - -	Eliza M'Namara -	- - -	74,300	6,733	11	1	
73	ditto - -	Thomas M'Namara -	- - -	56,330	5,048	10	–	for Beresford-street office.
74	ditto - -	Thomas M'Namara -	- - -	53,615	5,856	11	11	for King-street office.
75	ditto - -	Thomas M'Namara -	- - -	71,660	9,601	7	9	for Thomas-street office.
76	ditto - -	Patrick M'Garry -	- - -	73,380	12,102	–	2	
77	ditto - -	Thomas Murphy -	- - -	123,708	18,106	16	7	
78	ditto - -	William Parkes -	- - -	10,535	13,553	5	5	
79	ditto - -	Laurence Redmond -	- - -	90,192	10,355	3	6	
80	ditto - -	Joseph Sanderson -	- - -	39,281	8,045	4	1	since declined business.
81	ditto - -	Samuel Spencer -	- - -	59,259	8,523	–	10	
82	ditto - -	John Spring - -	- - -	114,072	16,558	6	5	
83	ditto - -	Peter Walsh - -	- - -	105,628	13,902	8	2	
84	ditto - -	John Whitcraft -	- - -	102,282	18,545	18	6½	since declined business.
85	ditto - -	Henry Williams -	- - -	64,968	13,644	5	5	
86	ditto - -	Patrick Campbell -	February 1815	116,719	14,699	18	5	
87	ditto - -	Christopher Wall -	May - 1818	51,517	5,139	10	4	for Mary's Abbey office.
88	ditto - -	Christopher Wall -	May - 1818	29,918	30,408	16	11½	for Frederick-street office.
89	ditto - -	Henry Booth - -	Sept. - 1818	83,721	13,168	16	–	for Bride-street office.
90	ditto - -	Henry Booth - -	Sept. - 1818	108,214	32,082	6	8	for Fleet-street office.
91	ditto - -	Henry Booth - -	Sept. - 1818	72,191	11,084	15	3	for Bishop-street office.
92	ditto - -	Henry Burrows -	March - 1819	58,606	6,344	6	10	since declined business.
93	ditto - -	Stephen Parker -	March - 1819	21,395	8,313	16	3	
94	ditto - -	James Simmons -	April - 1821	67,425	8,635	–	–	
95	ditto - -	Richard Spring -	April - 1821	72,568	8,561	–	8	
96	ditto - -	John Quin - -	March - 1822	41,970	4,611	18	–	since declined business.
97	ditto - -	Michael Fahie - -	March - 1823	80,662	10,748	17	9	
98	ditto - -	John Anderson -	March - 1828	34,284	6,192	6	1¼	since declined business.
99	ditto - -	Patrick Gillespie -	April - 1830	97,074	10,268	9	2	
100	ditto - -	Patrick Fennell -	May - 1833	89,725	12,229	–	3	
101	ditto - -	Prudence Henderson	May - 1830	89,168	13,931	12	3	
102	ditto - -	Samuel Smith - -	May - 1830	84,001	14,268	10	10	for Henry-street office.
103	ditto - -	Samuel Smith - -	May - 1830	69,508	11,542	12	3	for Capel-street office.
104	ditto - -	Thomas Fannin -	June - 1830	82,113	9,474	18	5	for Marlborough-st. office.
105	ditto - -	Thomas Fannin -	June - 1830	101,188	13,564	1	2	for Mecklenburgh street office.
106	ditto - -	Thomas Fannin -	June - 1830	78,446	10,593	14	8½	for James's-street office.
107	ditto - -	Michael Nowlan -	April - 1831	45,247	8,739	8	4	for Nassau-street office.
108	ditto - -	Michael Nowlan -	April - 1831	120,159	14,502	9	5	for Dorset-street office.
109	ditto - -	Thomas Charles -	April - 1833	119,305	14,300	8	8	since declined business.
110	ditto - -	John Richardson -	May - 1833	55,885	4,932	12	2½	since dead.
111	ditto - -	John Pearson - -	April - 1834	42,498	7,137	16	2½	for Denzille-street office.
112	ditto - -	John Pearson - -	April - 1834	51,981	4,757	2	11½	for Nicholas-street office.
113	ditto - -	Thomas Smullen -	April - 1834	105,448	11,698	4	8	
114	ditto - -	James Power - -	May - 1834	51,061	4,080	4	4	since declined business.
115	Dundalk - -	Christopher Crowe -	February 1830	28,683	3,169	14	2	
116	ditto - -	Patrick M'Guinness -	June - 1831	9,159	764	9	7½	
117	ditto - -	Samuel Bradford -	Nov. - 1836	43,300	4,769	15	4	
118	Dungarvan -	Patrick Ronayne -	- - -	17,273	2,054	11	8	since dead.
119	ditto - -	Edward Patterson -	March - 1831	12,964	1,737	14	5½	
120	ditto - -	Catherine Walsh -	March - 1831	5,822	1,501	7	10	since declined business.
121	Dungannon -	Thomas Agnew -	January 1828	9,198	884	17	–	
122	ditto - -	Anne Dickson - -	Nov. - 1833	10,624				
123	ditto - -	Charles O'Neill -	March - 1827	16,935	1,399	4	11	
124	Dunmanway -	John M'Donald -	February 1820	5,956	898	15	4	
125	ditto - -	Thomas Gardiner -	- - 1828	2,094	446	9	11	
126	Edenderry -	Henry Jones - -	May - 1833	9,157	467	10	–	
127	Ennis - -	Patrick Burke - -	- - -	8,844	572	4	7½	
128	ditto - -	James Byrne - -	August - 1829	27,237	1,587	1	8½	
129	ditto - -	Anne Bunton - -	Dec. - 1829	20,326	5,645	12	6	
130	ditto - -	William Lardner -	October 1833	10,404	1,535	2	5	
131	Enniscorthy -	William Warren -	May - 1832	16,576	1,723	13	5	
132	Enniskillen -	Richard Bailey -	May - 1831	21,775	2,043	17	–	since declined business.
133	ditto - -	William Armstrong -	June - 1831	14,498	1,190	14	8	
134	ditto - -	Richard Crooke -	January 1834	7,160	585	10	3	since declined business.
135	Ennistymon -	Thomas Curran -	October 1833	8,607	1,035	12	3	
136	Fermoy - -	Dennis Downing -	October 1830	15,299	14,994	3	9	
137	Galway - -	James Walsh - -	January 1823	14,994	2,944	3	4	
138	ditto - -	Margaret Burke -	January 1825	14,189	1,531	8	11	
139	ditto - -	Patrick Duggan -	October 1832	6,325	855	9	5	
140	ditto - -	Edward Power -	May - 1835	19,683	1,631	6	9	
141	Gort - -	Festus Kelly - -	June - 1831	4,424	496	18	8	
142	Kilkenny - -	Anne Reynolds -	Dec. - 1814	24,601	2,267	18	9	
143	ditto - -	John Porter - -	August 1822	6,850	871	16	10	
144	ditto - -	Bridget Campion -	January 1831	25,788	3,461	2	10	
145	ditto - -	Louis Rorke - -	May - 1831	31,586	4,064	6	1	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
	YEAR ending December 1835—*continued.*							
146	Killarney	John Carberry	Dec. 1831	9,627	881	1	9	
147	Kilfinnan	John Gearon	Sept. 1834	5,457	696	16	3	
148	Kinsale	D. & J. Sullivan	July 1818	39,516	4,799	6	4½	
149	ditto	Mary Williams	March 1825	129,407	2,657	12	10	
150	ditto	George Williams	January 1832	129,945	2,391	9	11½	
151	Limerick	Michael Donovan	- - -	34,888	3,885	12	5½	
152	ditto	Alexander Trousdale	- - -	39,828	3,559	7	8	
153	ditto	Mort. Shannon	- - -	10,681	1,437	16	–	since declined business.
154	ditto	Mathew Connellan	October 1821	13,467	1,357	2	3	
155	ditto	James Myles	May 1823	5,909	397	–	9½	since declined business.
156	ditto	Robert Stuart	May 1823	6,543	1,020	8	5	
157	ditto	Timothy Bunton	July 1825	21,558	6,350	13	1½	
158	ditto	Michael Kelly	January 1826	16,431	2,101	14	10	
159	ditto	Margaret Lawson	October 1826	32,543	4,960	2	1	
160	ditto	Hannah Russell	May 1829	32,479	1,818	6	4	
161	Lisburne	Erskine Nealey	April 1821	23,328	2,916	18	4½	
162	ditto	Jane Spence	April 1821	13,132	1,500	–	5	
163	ditto	Hugh Seeds	April 1821	30,299	5,521	15	6	
164	ditto	Hugh M'Call	January 1828	13,606	1,642	3	10	
165	Lismore	John Slattery	May 1835	5,037	762	14	3	
166	Listowel	W. C. Hartnett	- - -	4,348	562	13	3	since declined business.
167	Londonderry	John M'Cormick	July 1831	24,129	2,419	7	9	
168	ditto	George Williamson	January 1832	25,349	5,203	11	10	
169	Longford	Michael Quin	July 1835	3,640	268	–	11	
170	Loughrea	William Hardey	March 1829	3,124	122	–	3	
171	ditto	John Dillon	March 1826	17,648	1,063	19	8	
172	Macroom	George Wiseman	January 1819	14,242	2,109	1	–	
173	Markethill	Francis Grey	January 1833	6,163	718	13	9	
174	Monaghan	John Hewitt	May 1827	10,629	1,084	6	8	
175	Mountmellick	James Fitzgerald	October 1833	3,949	321	7	8½	
176	ditto	John Haslam	August 1836	17,503	2,124	5	5	
177	Nenagh	Patrick Magrath	August 1834	10,703	1,065	18	6	
178	New Ross	William Ryan	- - -	8,179	324	11	5	since declined business.
179	Newry	George Frazer	- - 1827	15,191	1,770	–	10½	
180	ditto	Richard Whitehead	- - 1827	12,343	1,684	1	8½	
181	ditto	James Bradford	May 1827	18,625	5,345	4	3	since declined business.
182	ditto	Thomas Laing & Co.	January 1829	10,510	1,030	12	5½	
183	ditto	James Wardlow	June 1831	7,145	780	18	8	
184	ditto	George Quinn	May 1832	6,590	992	11	1	since dead.
185	ditto	Henry Collins	Dec. 1833	17,239	1,553	4	2	
186	ditto	Richard Harcourt	Dec. 1833	16,729	1,443	8	10½	
187	Newtownhamilton	John Mills	February 1831	4,656	313	7	–	
188	Passage, West	Daniel Heagerty	April 1831	- -	1,203	19	2	
189	Portadown	John Mays	April 1835	4,310	191	7	2	
190	Roscrea	John Delany	July 1824	28,906	4,250	2	11	
191	Rathkeale	Julius Ruttle	June 1824	14,176	2,249	12	8	
192	Rathfryland	John Savage	February 1832	7,877	717	–	8	
193	Tanderagee	Robert Robinson	Sept. 1834	10,443	878	10	10	
194	Tallow	Patrick Higgins	Sept. 1834	7,132	959	10	4½	
195	Tralee	Henry Ruttle	Nov. 1822	30,307	2,115	13	3	
196	ditto	Thomas Bunton	Sept. 1827	42,256	6,240	19	7½	
197	Tuam	John Mangan	February 1835	12,468	1,481	16	6	
198	Tulla	Mort. Shannon	February 1835	3,805	632	18	9	
199	Tullamore	Henry Whitesides	May 1824	17,723	849	9	11	
200	ditto	Laurence Mackey	April 1832	32,060	3,679	7	7½	
201	Waterford	Catherine Duffy	- - -	6,344	1,025	11	–	
202	ditto	Catherine Flynn	- - -	15,811	2,409	8	11	since declined business.
203	ditto	David O'Reilly	- - -	5,768	562	18	6	since dead.
204	ditto	Catherine Power	- - -	4,433	436	14	3	
205	ditto	Hannah Pounder	- - -	22,089	3,152	5	11	
206	ditto	William Slaney	- - -	2,880	365	12	–	
207	ditto	Eleanor Lawton	April 1822	16,682	3,322	14	7	
208	ditto	Edward Slaney	March 1823	25,639	2,775	–	7	
209	ditto	Fenton W. Case	June 1825	20,144	1,688	18	9	
210	ditto	Robert Sheffield	May 1827	19,630	2,401	–	1	
211	ditto	John Irwin	June 1827	22,293	3,299	13	4	
212	ditto	Edward Mudigan	June 1828	11,184	1,065	4	8	
213	ditto	Catherine Manning	May 1829	32,302	2,789	14	–	
214	ditto	Margaret Manning	May 1829	34,891	3,089	3	2	
215	ditto	Edward Grennan	October 1829	16,990	2,678	14	8	
216	ditto	John Noble	April 1831	8,583	653	2	3	
217	ditto	Anne Todd	October 1832	28,960	2,882	17	1	
218	ditto	Daniel Doyle	June 1834	27,474	2,278	16	8	
219	ditto	John O'Brien	August 1834	5,943	423	4	1	

(*continued.*)

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £. s. d.	OBSERVATIONS.
	YEAR ending December 1835—*continued.*					
220	Waterford	Elizabeth Kavanagh	April 1835	25,916	2,085 3 7	
221	Warrenpoint	William Johnston	October 1832	8,681	886 7 6	
222	Wexford	William Lee	January 1832	11,789	1,265 10 6	
223	Youghall	William Barry		42,000	3,331 5 6	since dead.
224	ditto	Catherine Walsh	February 1820	29,524	17,221 4 11	
225	ditto	Susan Meilin	Nov. 1832	16,674	2,288 3 11	since dead.

I certify the foregoing to be a true account of the Returns I have received this (my fourth) year from the Pawnbrokers of Ireland.

So answers

21 April 1838. *John Judkin Butler,*
Marshal and Register.

YEAR ending DECEMBER 1836.

1	Armagh	James Starr	January 1822	24,543	2,465 13 9	since dead.
2	ditto	Margaret Robinson	July 1824	12,719	1,221 10 6½	
3	ditto	Alexander Gibson	May 1826	16,577	2,587 19 1½	
4	ditto	Elizabeth Mathews	June 1831	6,899	530 4 5	since declined business.
5	ditto	Laurence Sherry	March 1833	21,923	1,662 11 7	
6	Athlone	Andrew Hopkins	Dec. 1833	17,631	1,589 – –	since declined business.
7	Aughnacloy	Samuel Hetherington	Sept. 1836	715	65 3 9	
8	Antrim	John Birnie	March 1828	5,923	459 4 4	
9	ditto	Samuel Reid	Sept. 1831	9,808	907 14 11	
10	Athy	Jane Bailey	May 1831	25,030	1,285 3 –	
11	ditto	John Rooney	February 1835	24,641	1,875 16 9	
12	Askeaton	Patrick O'Donnell	October 1835	3,696	458 12 2	
13	Bandon	Joseph Bennett		26,533	3,736 7 7	
14	ditto	Thomas Fuller		18,896	2,487 1 4	
15	ditto	Dora Kingston		9,603	1,860 2 –½	
16	ditto	Richard Williams	August 1819	2,406	440 9 9	
17	ditto	James Edwards	January 1826	17,412	3,658 16 1½	
18	ditto	John Shine	February 1828	18,041	3,295 14 5	
19	ditto	Robert Fuller	Sept. 1828	18,615	2,410 8 6	
20	ditto	Thomas Bennett	October 1836	2,936	349 11 7½	
21	Bruff	Edward Hall	April 1831	1,713	195 5 –	
22	ditto	Anne Lundon	June 1836	2,608	284 9 11	
23	Banbridge	Samuel Bradbury	January 1827	15,436	2,099 3 4	
24	ditto	William M'Clelland	February 1836	14,443	1,396 1 7	
25	Bangor	Alexander Miller	June 1833	4,762	547 14 7	
26	Bray	James Kearns	Dec. 1835	19,662	1,565 5 11	
27	Boyle	Maria Murphy	July 1835	11,536	1,479 9 4½	
28	Bailieborough	Francis West	March 1835	3,054	570 6 4	
29	Ballymena	Thomas Meek	April 1836	5,809	408 4 1½	
30	Belfast	Joseph M'Dowell		15,938	1,945 17 5½	
31	ditto	Henry Patterson		27,913	2,541 – 7	
32	ditto	John Hill & Co.		13,610	950 1 1	since declined business.
33	ditto	Robert Johnston		16,469	1,590 2 4	
34	ditto	Anne Bingham		18,009	3,094 14 4	
35	ditto	Arthur Aickin	February 1821	20,889	6,610 11 –	
36	ditto	William Jenkins	March 1821	52,403	5,183 3 4	
37	ditto	William Gilbert	August 1824	16,256	5,653 4 8	
38	ditto	William Philips	Sept. 1825	21,843	4,133 17 1½	
39	ditto	Robert Gilmore	January 1826	45,451	4,878 3 2	
40	ditto	Robert Beggs	July 1829	31,699	3,976 13 2½	
41	ditto	James M'Kee	July 1830	41,092	4,691 – 1	
42	ditto	William Young	February 1832	22,609	1,857 5 3	
43	ditto	E. J. Lynn	May 1833	15,786	974 1 3½	
44	ditto	Henry Maguire	February 1833	22,433	3,309 11 9	
45	ditto	James Macartney	October 1833	5,892	659 17 11½	
46	ditto	W. M'B. Sibbin	March 1833	14,084	2,335 12 9	
47	ditto	James Gilbert	Sept. 1834	19,116	2,275 2 8½	
48	ditto	Margaret M'Kibben	Sept. 1834	11,310	447 18 7	
49	ditto	Henry Browne	Nov. 1834	26,724	3,096 13 3	
50	ditto	Samuel Neill	Dec. 1834	15,818	995 – –	
51	ditto	George Kinsey, &c.	July 1835	25,690	2,266 1 –½	
52	ditto	John M'Dornan	August 1835	17,494	1,743 13 6	
53	ditto	William Holland	Nov. 1835	12,410	829 18 –	
54	ditto	Henry Fowler	January 1836	20,587	2,056 12 1½	
55	ditto	Robert Gregory	June 1836	6,459	490 7 10½	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
	YEAR ending December 1836—*continued.*							
56	Belfast	Faithful Tate	October 1836	3,903	223	18	5	
57	ditto	Daniel Molloy	October 1836	1,299	78	10	9	
58	ditto	Mary Patterson	July - 1834	38,115	4,958	2	5	
59	ditto	Samuel M'Dougal	May - 1836	4,264	320	10	6	since declined business.
60	Buttevant	James Ryan	April - 1833	12,301	1,584	7	8	
61	Ballinasloe	Deborah A. Roe	March - 1836	10,084	461	2	11	
62	Ballyshannon	Richard Bailie	March - 1835	10,900	1,498	10	–	
63	Clonmell	Catherine Walsh	Sept. - 1829	35,986	5,220	15	5	
64	ditto	Mathew Shanahan	July - 1825	25,898	3,465	–	–	
65	ditto	Richard Shanahan	March - 1831	17,550	2,801	17	6	
66	ditto	Costen & Patterson	Nov. - 1835	25,550	3,515	18	–	
67	ditto	Cornelius Sullivan	February 1836	21,395	1,877	12	5	
68	ditto	Anne Davis	Nov. - 1836	67,392	7,605	17	5	
69	Carrickfergus	Eliza Reid	Sept. - 1834	21,084	1,676	12	4	
70	ditto	Thomas Johnston	Sept. - 1834	2,268	242	9	–	
71	Cloughnakilty	William Bennett	Nov. - 1822	- -	2,869	10	3	
72	ditto	Thomas Bennett & Co.	October 1833	- -	2,344	2	8	
73	Carrick-on-Suir	William Keating	May - 1817	13,877	1,960	15	9	
74	ditto	J. O'Cavanagh	Dec. - 1824	8,199	670	13	10	
75	ditto	Denis Fitzgerald	June - 1832	15,037	1,161	17	5	
76	Castleblaney	Patrick Farrell	June - 1836	1,900	289	13	4	
77	Carlow	James Comerford	July - 1835	35,620	2,918	13	5	
78	Cover	Arthur Waugh	- - -	14,301	1,033	2	1½	
79	Cashell	Patrick Lyttleton	March - 1828	26,688	3,594	3	10	
80	Dunmanway	John M'Donald	February 1820	5,292	823	–	6	
81	ditto	Thomas Gardiner	- - - 1828	2,124	424	15	7	
82	Dublin	Henry Booth	Sept. - 1818	120,040	37,142	3	–	for Parliament-row office.
83	ditto	Henry Booth	Sept. - 1818	76,940	11,031	2	9	for Bride-street office.
84	ditto	Henry Booth	Sept. - 1818	80,283	13,399	5	1	for Bishop-street office.
85	ditto	Christopher Wall	May - 1818	41,758	3,362	15	–	for Bolton-street office.
86	ditto	Christopher Wall	May - 1818	85,290	5,975	3	8	for Mary's Abbey office.
87	ditto	Stephen Parker	March - 1819	20,566	7,983	11	5	
88	ditto	Richard Spring	April - 1821	79,346	9,508	12	9	
89	ditto	James Simmons	April - 1821	71,025	9,313	–	–	
90	ditto	John Quinn	March - 1822	33,455	3,255	5	–	since declined business.
91	ditto	Patrick Gillespie	April - 1830	118,539	10,845	2	3	
92	ditto	Samuel Smith	May - 1830	65,931	12,221	4	11	for Capel-street office.
93	ditto	Samuel Smith	May - 1830	89,494	14,881	5	–	for Henry-street office.
94	ditto	Prudence Henderson	May - 1830	90,838	14,659	12	6	since dead.
95	ditto	Thomas Fannin	June - 1830	17,981	10,147	8	2	- - for Marlborough-street office.
96	ditto	Thomas Fannin	June - 1830	80,454	10,588	3	10½	for James's-street office.
97	ditto	Maurice Nowlan	April - 1831	128,805	16,504	6	4	for Dorset-street office.
98	ditto	Maurice Nowlan	April - 1831	64,535	9,243	2	11	for Nassau-street office.
99	ditto	Walter Doorley	October 1832	111,626	12,322	18	10	
100	ditto	Patrick Fannell	May - 1833	120,633	16,311	5	9	
101	ditto	John Pearson	April - 1834	95,670	10,024	4	11	for Nicholas-street office.
102	ditto	John Pearson	April - 1834	104,181	12,997	10	3	for Crampton-court office.
103	ditto	Thomas Smullen	April - 1834	115,269	13,119	17	2	
104	ditto	James O'Gorman	June - 1836	54,198	4,585	10	6	
105	ditto	Samuel Dunne	October 1836	4,604	655	11	3½	
106	ditto	Eliza M'Namara	- - -	86,378	8,477	5	11	
107	ditto	Thomas M'Namara	- - -	54,170	5,232	15	–	for Bercsford-street office.
108	ditto	Thomas M'Namara	- - -	114,318	16,899	18	2	for Thomas-street office.
109	ditto	Thomas M'Namara	- - -	42,440	5,189	13	6	for King-street office.
110	ditto	William Brophy	- - -	69,516	9,769	1	2	
111	ditto	Francis Byrne	- - -	76,887	11,395	6	8	
112	ditto	William Dunne	- - -	83,890	9,645	9	4½	
113	ditto	Samuel Spencer	- - -	74,183	10,499	1	7	
114	ditto	Joseph Sanderson	- - -	58,896	11,055	6	7	since declined business.
115	ditto	John Spring	- - -	86,070	10,979	12	–	for Meath-street office.
116	ditto	John Spring	- - -	124,385	17,944	4	8	for Francis-street office.
117	ditto	Laurence Redmond	- - -	98,807	12,172	12	4	
118	Drogheda	Bernard Finnegan	- - -	36,746	5,260	16	1	
119	ditto	Joseph Montgomery	June - 1829	41,992	4,012	16	6½	
120	ditto	Alexander Carswell	March - 1834	46,434	4,507	15	–	since declined business.
121	Dromore	George Hampton	April - 1836	7,634	745	15	8	
122	Dundalk	Ch. Crowe	February 1830	32,597	3,990	1	3	
123	ditto	Patrick M'Guinness	June - 1831	9,538	792	12	7½	
124	ditto	William Bradford	Sept. - 1834	23,300	2,701	3	4	
125	Dungarvan	Patrick Ronayne	- - -	7,862	744	7	4	since dead.
126	ditto	Edward Patterson	March - 1831	13,425	1,904	7	7	
127	Downpatrick	Henry M'Namara	May - 1833	10,127	1,057	12	5	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
	YEAR ending December 1836—*continued.*							
128	Downpatrick -	James Y. Young -	- - -	5,845	614	9	5	
129	Dungannon -	Charles O'Neill -	March - 1827	18,641	1,033	12	9	
130	ditto - -	Thomas Agnew -	January 1828	9,132	1,176	12	6	
131	ditto - -	Anne Dickson -	Nov. - 1833	9,165	453	17	11 ½	
132	Dingle - -	Keily & O'Donnell -	- - -	3,242	350	9	1 ½	since declined business.
133	Donaghadee -	James Ross - -	January 1830	9,536	1,034	9	2	
134	ditto - -	John Ferguson -	January 1835	8,261	598	2	1	
135	Ennis - -	James Byrne - -	August 1829	21,803	2,155	18	2	
136	ditto - -	Anne Bunton - -	Dec. - 1829	28,000	5,497	17	3	
137	ditto - -	William Lardner -	October 1833	8,118	1,170	1	8 ½	
138	Enniskillen -	William Armstrong -	June - 1831	18,302	1,263	15	4	
139	ditto - -	George Joyce - -	August 1836	9,500	1,065	5	8	
140	Edenderry -	Henry Jones - -	May - 1833	9,093	855	3	–	
141	Enniscorthy -	William Warren -	May - 1832	20,492	2,193	5	3	
142	Ennistymon -	Thomas Curran -	October 1833	8,932	1,236	6	11	
143	Fermoy - -	Catherine Walsh -	January 1827	31,838	4,865	4	7	
144	ditto - -	Dennis Downing -	October 1830	27,385	25,978	13	8	
145	Galway - -	James Walsh - -	January 1823	16,567	1,440	14	4	
146	ditto - -	Margaret Burke -	January 1825	10,698	605	14	6	
147	ditto - -	John Murray - -	Dec. - 1827	19,922	2,475	3	10 ½	
148	ditto - -	Patrick Duggan -	October 1832	7,280	832	16	2 ½	
149	ditto - -	Edward Power -	May - 1835	32,865	3,313	14	5	
150	ditto - -	Richard Feeny -	August 1836	10,556	947	17	1	
151	Granard - -	James Moore - -	May - 1836	2,214	247	4	5	
152	Gort - -	Festus Kelly - -	June - 1831	6,542	883	–	6	
153	Kinsale - -	J. Sullivan - -	July - 1818	- -	4,738	14	3	
154	ditto - -	Mary Williams -	March - 1825	- -	2,678	5	5	
155	ditto - -	George Williams -	January 1832	22,015	2,291	15	4	
156	Killaloe - -	John Doyle - -	Nov. - 1835	6,403	989	15	2	
157	Kilfinnan - -	John Gearon - -	Sept. - 1834	6,051	699	4	2	
158	Kilkenny - -	Anne Reynolds -	Dec. - 1814	11,260	1,631	17	10	
159	ditto - -	John Porter - -	August 1822	8,379	1,116	2	5 ½	
160	ditto - -	Bridget Campion -	January 1831	24,000	3,440	13	6	
161	ditto - -	Louis Rorke - -	May - 1831	38,185	5,049	14	1	
162	Killarney - -	John Carberry -	Sept. - 1831	13,582	1,038	11	10 ½	
163	Larne - -	James Highton -	Sept. - 1836	1,102	117	18	11	
164	Limerick - -	Elizabeth Parker -	- - -	36,098	3,201	10	–	
165	ditto - -	William Ashton -	- - -	16,665	1,534	6	7	since declined business.
166	ditto - -	Stephen Drysdale -	- - -	34,518	3,477	2	3	
167	ditto - -	William Joynte -	- - -	17,893	3,450	14	9	
168	ditto - -	Mathew Connellan -	October 1821	11,838	1,331	5	7	
169	ditto - -	Edward Homan -	May - 1822	18,269	1,734	13	10	
170	ditto - -	Timothy Bunton -	July - 1823	23,091	6,664	19	– ½	
171	ditto - -	Michael Barron -	May - 1824	12,758	1,405	18	–	
172	ditto - -	Messrs. Myles & Co.	June - 1825	25,972	5,025	5	10	
173	ditto - -	Margaret Lawson -	October 1826	33,022	4,273	1	9	
174	ditto - -	Michael Kelly - -	January 1826	15,538	2,936	7	5	
175	ditto - -	Hannah Russell -	May - 1829	36,707	4,522	1	5	
176	ditto - -	Michael Donovan -	Nov. - 1832	38,710	4,490	13	–	
177	ditto - -	Margaret St. Laurence	October 1833	13,608	2,596	3	–	
178	ditto - -	Edward G. Parker -	June - 1834	6,749	382	–	9	
179	Longford - -	Michael Quinn -	July - 1835	10,663	870	1	5	
180	Lismore & Tullow	John Slattery - -	May - 1835	10,011	1,494	17	1	
181	Loughrea - -	John Dillon - -	March - 1826	16,359	1,071	9	8	
182	ditto - -	William Hardy -	March - 1829	1,841	114	9	11	
183	Londonderry -	James M'Cormick -	July - 1831	23,513	2,335	9	11	
184	ditto - -	George Williamson -	January 1832	26,139	5,095	2	7	
185	ditto - -	Marcus M'Laughlin -	Nov. - 1835	18,713	1,697	2	10	
186	Lurgan - -	Robert Hazleton -	April - 1828	21,201	1,695	14	5	
187	ditto - -	Mary Turkington -	May - 1834	17,397	1,508	–	9	
188	Lisburne - -	Jane Spence - -	April - 1821	13,497	1,509	19	–	
189	ditto - -	Erskine Nealey -	April - 1821	23,099	3,005	9	2	
190	ditto - -	Hugh Seeds - -	April - 1821	31,999	6,221	4	5	
191	ditto - -	Hugh M'Call - -	January 1828	14,591	2,003	16	9	
192	Macroom -	George Wiseman -	January 1819	14,613	1,467	1	8	
193	ditto - -	John Wiseman -	October 1829	10,263	918	8	7 ½	
194	Mallow - -	John Carbury - -	February 1836	5,399	497	1	3	
195	Mountmellick -	William Baker -	Sept. - 1832	18,350	2,060	14	7	
196	ditto - -	James Fitzgerald -	October 1833	5,901	604	7	6 ½	
197	ditto - -	John Haslam - -	August 1836	17,516	2,209	7	7	
198	Monaghan -	John Hewitt - -	May - 1827	8,681	1,292	9	2	
199	ditto - -	James Starr - -	- - -	7,618	823	10	7	since dead.
200	Mullingar -	Joseph Finnegan -	January 1836	21,158	2,425	1	8	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £. s. d.	OBSERVATIONS.
	YEAR ending December 1836—*continued.*					
201	Moy - -	George Spencer -	June - 1836	1,403	211 16 –	
202	Maryborough -	Hugh Bailey - -	February 1835	11,052	1,177 4 – ½	
203	Markethill -	Francis Grey - -	January 1833	7,545	861 8 7	
204	Middleton -	Catherine Walsh -	Sept. - 1836	23,221	3,506 5 4	
205	Mitchelstown -	Catherine Walsh -	June - 1831	21,403	3,235 16 5	
206	Mountrath -	William Tracey -	May - 1829	19,872	2,263 19 –	
207	Newry - -	Richard Whitehead -	- - - 1827	15,868	2,132 11 4	
208	ditto - -	Geo. Frazer - -	- - - 1827	14,055	1,993 15 6	
209	ditto - -	Charles Murphy -	January 1828	17,557	2,655 1 5	
210	ditto - -	Thos. Laing & Co. -	January 1829	12,475	1,241 1 6	
211	ditto - -	James Hutton - -	March - 1830	11,400	1,683 17 –	
212	ditto - -	James Wardlow -	June - 1831	12,350	619 9 5 ½	
213	ditto - -	Geo. Quinn - -	May - 1832	8,124	1,630 16 10 ½	since dead.
214	ditto - -	Richard Harcourt -	Dec. - 1833	18,969	1,764 2 – ½	
215	ditto - -	Henry Collins - -	Dec. - 1833	17,048	1,501 3 9	
216	ditto - -	John Murdock -	March - 1836	8,851	1,188 7 8	
217	Nenagh - -	William Carey -	April - 1826	7,965	1,357 16 9 ½	
218	ditto - -	Patrick Magrath -	August 1834	10,117	1,212 16 –	
219	ditto - -	Mary Hickey - -	May - 1836	9,242	742 6 11	
220	ditto - -	William Mackey -	July - 1836	2,013	158 7 1 ½	
221	Newtownhamilton	John Mills - -	February 1831	4,259	559 5 2	
222	ditto - -	Alexander Stitt -	October 1835	1,119	269 7 6	
223	Naas - -	Ephraim Farrell -	June - 1836	7,754	780 6 9	
224	Newtonards -	Alexander M'Connell	April - 1832	4,826	579 14 1	
225	Omagh - -	Charles M'Master -	June - 1835	7,119	863 13 1	
226	Passage, West -	Daniel Heagarty -	April - 1831	16,177	1,387 13 6 ½	
227	Portadown -	John Mays - -	April - 1835	9,883	264 7 7 ½	
228	Ross - -	William Ryan - -	- - -	12,558	756 8 11	since declined business.
229	Rathfryland -	James Savage - -	February 1832	7,799	727 8 –	
230	Rathkeale -	Julius Ruttle - -	June - 1824	9,896	1,362 19 2	
231	ditto - -	John Latchford & Co.	Dec. - 1834	13,120	1,555 19 5	
232	ditto - -	Bridget Gill - -	August 1836	2,368	291 12 11 ½	
233	Roscrea - -	Patrick Kirwan -	October 1823	28,129	1,910 2 2 ½	
234	ditto - -	John Delany - -	July - 1824	31,680	5,058 4 10	
235	Tralee - -	Henry Ruttle - -	Nov. - 1822	19,948	2,088 5 3	
236	ditto - -	Thomas Bunton -	Sept. - 1827	34,938	5,958 1 5	
237	ditto - -	Anne Bryan - -	Nov. - 1835	15,262	1,389 3 2	
238	ditto - -	Christopher Ruttle -	Nov. - 1835	20,448	2,008 6 –	
239	Tanderagee -	Robert Robinson -	Sept. - 1834	12,932	1,381 5 – ½	
240	Tuam - -	Timothy Murray -	- - -	25,699	3,825 7 4	
241	ditto - -	John Mangan - -	February 1835	18,788	2,431 16 11	
242	Tullamore -	Laurence Mackey -	April - 1832	29,801	3,853 2 3 ½	
243	ditto - -	Daniel Carroll - -	Nov. - 1835	15,287	1,450 – –	
244	Waterford -	Edward Grennan -	October 1829	20,594	2,608 12 7	
245	ditto - -	Jno. & Anne Todd -	October 1832	29,320	3,129 15 2	
246	ditto - -	John O'Brien - -	August 1834	8,753	969 12 3	
247	Warrenpoint -	William Johnston -	October 1832	7,485	977 5 1	
248	Wexford - -	William Lee - -	January 1832	16,057	1,190 16 7	
249	Youghall - -	Catherine Walsh -	February 1826	31,164	4,697 14 6	
250	ditto - -	Susan Meilan -	Nov. - 1832	15,991	2,280 10 5 ½	since dead.

I certify the foregoing to be a true account of the Returns I have received this (my fourth) year from the Pawnbrokers of Ireland.

So answers

21 April 1838. *John Judkin Butler*, Marshal and Register.

YEAR ending DECEMBER 1837.

1	Armagh - -	Margaret Robinson -	July - 1824	21,206	415 9 7 ½	
2	ditto - -	Alexander Gibson -	May - 1826	19,612	2,493 2 6	
3	ditto - -	Laurence Sherry -	May - 1833	23,712	1,448 7 3 ½	
4	ditto - -	David Scarlett - -	March - 1837	- -	- - -	- - not yet commenced
5	ditto - -	Alexander Starr -	April - 1837	28,749	2,729 13 6	business.
6	ditto - -	Margaret Starr -	June - 1837	8,020	756 18 10	
7	Adare - -	Grace Smyth - -	May - 1837	2,462	367 9 4	
8	Athlone - -	Timothy Murray -	March - 1830	52,215	578 14 7 ½	
9	Antrim - -	John Birnie - -	March - 1828	4,268	469 10 4	
10	ditto - -	Samuel Reid - -	Sept. - 1831	10,010	974 8 4	
11	Aughnacloy -	Samuel Hetherington	Sept. - 1836	4,418	422 13 5	
12	Askeaton - -	Patrick M'Donnell -	October 1835			
13	Athy - -	Jane Bailey - -	May - 1831	26,797		
14	ditto - -	John Rooney - -	February 1835	23,390	2,254 14 3	
15	Ballina - -	R. J. O'Donovan.				

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £. s. d.	OBSERVATIONS.
	YEAR ending December 1837—*continued.*					
16	Buttevant	James Ryan	April - 1833	13,827	2,050 18 8	
17	Burrisakane	James Spring	July - 1834	6,012	476 17 2	
18	Bray	James Keames	Dec. - 1835	24,566	1,735 12 –	
19	Bandon	Richard Williams	August 1819	1,809	335 8 6	
20	ditto	James Edwards	- - - 1826			
21	ditto	John Shine	February 1828	16,371	3,220 14 11	
22	ditto	Robert Fuller	Sept. - 1828	17,214	2,251 – 10	
23	ditto	Thomas Bennett	October 1836	13,842	1,753 – 5½	
24	ditto	Richard Cole	Sept. - 1837	- -	- - -	- - not yet commenced business.
25	ditto	Thomas Fuller	- - -	21,878	2,861 – 10	
26	ditto	Joseph Bennett	- - -	31,664	4,659 6 4	
27	ditto	Dora Kingston	- - -	12,755	2,360 13 –	
28	Banbridge	Samuel Bradbury	January 1827	16,520	2,138 12 –	
29	ditto	William M'Clelland	February 1836	9,311	778 19 6	
30	Bantry	William Lannin	May - 1830	12,036	1,758 14 8½	
31	Banagher	Thomas Carroll	May - 1830	12,000	308 5 –	
32	Ballinasloe	Peter Moclare	Dec. - 1835			
33	ditto	Deborah A. Roe	March - 1836	13,588	1,293 4 10	
34	Boyle	Maria Murphy	July - 1835	8,897	996 15 8	
35	Ballymena	Alexander Young	Nov. - 1831			
36	ditto	James M'Elwain	January 1835			
37	ditto	Thomas Meek	April - 1836	10,155	881 12 6½	
38	Bruff	Edward Hall	April - 1831	- -	- - -	- - not doing business at present.
39	ditto	Anne Lundon	June - 1836	7,164	918 – 9	
40	Belfast	Anne Bingham	- - -	12,211	2,469 18 9	
41	ditto	Robert Johnston	- - -	10,540	1,181 8 11	
42	ditto	Joseph M'Dowell	- - -	14,700	2,012 9 11	
43	ditto	James Sheals	- - -	18,492	7,539 13 – ½	
44	ditto	Arthur Aickin	February 1821	16,908	7,236 18 8	
45	ditto	William Jenkins	March - 1821	34,780	4,242 5 1	
46	ditto	James K. Patterson	Sept. - 1824	37,700	1,831 4 4	
47	ditto	William Gilbert	August - 1824	21,273	5,794 9 8	
48	ditto	William Philips	Sept. - 1825	17,579	2,162 3 10	
49	ditto	Robert Gilmore	January 1826	39,562	4,282 4 5	
50	ditto	Robert Beggs	July - 1829	28,539	3,785 9 10½	
51	ditto	James M'Kee	January 1830	35,669	3,830 13 6	
52	ditto	John Brogan	August 1831	7,871	850 10 3	
53	ditto	William Young	February 1832	26,879	1,987 9 11	
54	ditto	David Thoburne	March - 1832	25,592	1,768 6 –	
55	ditto	E. J. Lynn	May - 1833	15,852	803 4 3½	
56	ditto	Henry Maguire	February 1833	21,959	3,259 12 2	
57	ditto	James Macartney	October 1833	4,715	609 15 7½	
58	ditto	S. & A. Bradford	Nov. - 1833	- -	- - -	- - declined business last 12 months.
59	ditto	William M'B. Sibbin	March 1833	17,529	2,311 18 5	
60	ditto	James Gilbert	Sept. - 1834	18,817	2,125 2 11	
61	ditto	Margaret M'Kibben	Sept. - 1834	- -	- - -	- - married to James Warnock: *see* No. 82.
62	ditto	Eleanor Anderson	Sept. - 1834	42,607	4,709 3 9	
63	ditto	Henry Browne	Nov. - 1834	18,465	2,218 16 10	
64	ditto	Samuel Nejlle	Dec. - 1834	14,861	1,490 18 –	
65	ditto	John Kinsey, jun.	July - 1835	27,129	2,536 6 4	
66	ditto	John M'Dornan	August 1835	17,090	1,219 16 –	
67	ditto	James Worrell	August 1835	26,730	2,602 19 2	
68	ditto	James Bell	October 1835	26,839	1,653 5 5½	
69	ditto	William Holland	Nov. - 1835	11,653	714 9 8	
70	ditto	Henry Fowler	January 1836	13,364	1,577 2 7	
71	ditto	William Anderson	January 1836	16,154	1,307 13 2	
72	ditto	Robert Gregory	June - 1836	19,176	1,056 3 6½	
73	ditto	Faithful Tate	October 1836	11,728	895 12 –	
74	ditto	Daniel Mulloy	October 1836	11,378	1,231 16 7	
75	ditto	Robert Gibson, jun.	Nov. - 1836	1,574	659 9 2	
76	ditto	Hugh Wilson	February 1837	5,191	614 8 11½	
77	ditto	Thomas Shields	March - 1837	19,820	1,631 17 – ½	
78	ditto	Patrick Hynds	June - 1837	30,291	2,869 12 6	
79	ditto	John Loughran	January 1838	3,151	209 16 10	
80	ditto	John Henderson	January 1838	6,048	348 18 1½	
81	ditto	Richard Cooper	January 1838	453	20 19 2	
82	ditto	James Warnock	January 1838	7,312	418 4 –	
83	ditto	William M'Master	January 1838	4,552	381 14 11½	
84	ditto	William H. Owen	January 1838	4,878	471 5 11½	
85	ditto	John Lynas	January 1838	635	42 16 –	
86	ditto	Arthur Galway	January 1838	1,106	85 16 9	
87	ditto	Hugh Harpur	January 1838	19,631	2,224 7 9	- - successor to Henry Patterson: *see* No. 31, in 1836.
88	ditto	William Sibben	January 1838	- -	- - -	not yet commenced business.

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £. s. d.	OBSERVATIONS.
	YEAR ending December 1837—*continued.*					
89	Ballymacarrett -	John Jacobson -	June - 1835	10,649	1,067 6 10	
90	Bangor - -	Alexander Miller -	June - 1833	4,611	546 19 6	
91	Bailieborough -	Francis West - -	June - 1833	- -	- - -	--declined business since
92	Ballyshannon -	Richard Bailey -	- - -	12,374	1,576 10 10	May last.
93	Birr - - -	Michael Madden.				
94	ditto - -	Elias Malone - -	July - 1830	19,372	1,676 9 1	
95	ditto - -	Patrick Q. Carroll -	Nov. - 1831	20,311	1,949 16 –	
96	ditto - -	Patrick Carroll -	Nov. - 1833			
97	Carrickfergus -	William Hendren -	July - 1824	1,689	159 – 3	
98	ditto - -	Hugh Stewart - -	February 1830	11,792	1,042 18 2	
99	ditto - -	Thomas Johnston -	Sept. - 1834	876	142 12 1	
100	ditto - -	Arthur M'Curley -	February 1837	17,892	1,848 9 5	
101	Carrick-on-Suir -	William Keatinge -	May - 1817	20,710	1,762 16 7½	
102	ditto - -	John Cavanagh -	Dec. - 1824	8,183	542 16 7	
103	ditto - -	Denis Fitzgerald -	June - 1832	25,010	1,456 4 8	
104	ditto - -	Mathew Shanahan -	January 1835	19,563	1,368 8 9	
105	Carlow - -	James Comerford -	July - 1835	35,019	2,816 16 4	
106	Charleville -	John Ralleigh - -	August 1837	9,200	1,641 18 10	
107	ditto - -	William Ashton -	October 1837	6,223	504 3 2	
108	Charlemount -	Margaret Lingsay -	April - 1836	- -	- - -	since declined business.
109	Cashel - -	Patrick Lyttleton -	March - 1828	36,152	3,534 5 10	
110	ditto - -	William Edwards -	Sept. - 1837	2,501	38 – –	
111	Cove - -	Arthur Waugh.				
112	ditto - -	Anthony Jordan.				
113	ditto - -	Edward Long - -	- - -	3,340	3,481 1 7	
114	Cloyne - -	Dennis Rierdon -	Dec. - 1836	8,529	989 7 5½	
115	Cavan - -	John Brady - -	Nov. - 1833	15,943	1,988 16 6½	
116	Cahirseiven -	Susannah Barrett -	June - 1837	320	33 – 5½	--declined business in
117	Clonmell - -	Mathew Shanahan -	July - 1825	16,365	2,432 – –	two months.
118	ditto - -	Catherine Walsh -	Sept. - 1829	31,035	3,683 6 10	
119	ditto - -	Richard Shanahan -	March - 1831	18,770	703 9 4	
120	ditto - -	Costin & Patterson -	Nov. - 1835	14,229	2,300 – –	
121	ditto - -	Cornelius Sullivan -	February 1836	32,430	2,462 10 5½	
122	ditto - -	Anne Davis - -	Nov. - 1836	29,565	3,152 5 4	
123	Clare - -	Michael Byrnes -	October 1836	5,424	516 13 10	
124	Cork - -	Jane Bennett - -	Sept. - 1837			
125	ditto - -	Henry Bible - -	Sept. - 1837	15,364	1,856 11 8	
126	ditto - -	Chr. A. Connell -	Sept. - 1837	5,630	1,071 12 5	
127	ditto - -	Thomas Cocker -	Sept. - 1837			
128	ditto - -	Honora & Mary Curtin	Sept. - 1837			
129	ditto - -	W. B. Chillingworth -	Sept. - 1837	17,300	2,244 15 4	
130	ditto - -	Jone Crone - -	Sept. - 1837	29,746	2,568 19 10	
131	ditto (2 offices)	R. D. Chillingworth -	Sept. - 1837	20,509	3,280 1 11	
132	ditto - -	Michael Casey -	Sept. - 1837	20,620	1,724 8 9	
133	ditto - -	John Divett - -	Sept. - 1837	29,553	1,718 3 8	
134	ditto - -	Clear Davidson -	Sept. - 1837	23,020	2,457 7 –	
135	ditto - -	Teresa Donovan -	Sept. - 1837	- -	- - -	this is a new office.
136	ditto - -	Geo. & S. Divett -	Sept. - 1837	32,000	2,732 5 7	
137	ditto - -	James Gillespie -	Sept. - 1837	15,835	2,462 11 1	
138	ditto (2 offices)	Joseph Helen - -	Sept. - 1837	50,194	8,009 7 –	
139	ditto - -	Mary Hosford - -	Sept. - 1837	69,901	3,706 17 6½	
140	ditto - -	William Harding -	Sept. - 1837	21,389	2,089 10 7	
141	ditto - -	Anne Howard - -	Sept. - 1837	15,471	2,419 3 8½	
142	ditto - -	Eliza Hare - -	Sept. - 1837	33,474	4,981 16 6	
143	ditto - -	John Hewitt - -	Sept. - 1837	32,953	4,731 13 3	
144	ditto - -	William Hicks - -	Sept. - 1837	39,877	6,838 – 11½	
145	ditto - -	Daniel Heagerty -	Sept. - 1837	29,668	3,027 13 2	
146	ditto - -	William Hunter -	Sept. - 1837	27,251	3,654 3 11½	
147	ditto - -	Frances Jameason -	Sept. - 1837	46,288	5,315 9 4	
148	ditto - -	Cecilia Keiley - -	Sept. - 1837	23,471	1,978 6 6	
149	ditto - -	Rowland & W. Long	Sept. - 1837	36,237	6,581 17 3	
150	ditto - -	John Lynch - -	Sept. - 1837	42,245	3,550 6 2	
151	ditto - -	William Long - -	Sept. - 1837	31,440	4,720 12 5	
152	ditto - -	John M'Carthy -	Sept. - 1837	21,189	2,678 12 5½	
153	ditto - -	John Meade, jun. -	Sept. - 1837			
154	ditto - -	Anne Miller - -	Sept. - 1837	30,550	3,695 4 9½	
155	ditto - -	Eugene Mahony -	Sept. - 1837	35,422	4,891 4 8½	
156	ditto - -	Joseph Ring - -	Sept. - 1837	40,603	9,219 16 4½	
157	ditto - -	William Reardon -	Sept. - 1837	24,312	2,855 15 9½	
158	ditto - -	Charles Sheppard -	Sept. - 1837	12,198	1,198 5 4	
159	ditto - -	Cornelius Sullivan -	Sept. - 1837	36,738	5,738 9 – ½	
160	ditto - -	Bernard Sheehan -	Sept. - 1837	43,475	4,475 7 8	
161	ditto - -	Edward Scott - -	Sept. - 1837	60,008	5,294 – 7½	

(*continued.*)

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
	YEAR ending December 1837—*continued.*							
162	Cork (2 offices) -	William B. Swan -	Sept. - 1837	84,843	10,726	14	9	
163	ditto - -	George Thornton -	Sept. - 1837	59,908	10,941	5	1	
164	ditto - -	Robert W. Trenwith	Sept. - 1837	32,225	4,033	11	10	
165	ditto - -	William Wilson -	Sept. - 1837	23,844	3,205	3	3	
166	ditto - -	Sarah Wilson - -	Sept. - 1837	8,768	1,105	14	10	
167	ditto (3 offices)	William H. Trenwith	Sept. - 1837					
168	Cootehill - -	Samuel Fisher - -	March - 1837	8,074	745	13	–	
169	ditto - -	James White - -	- - -	9,294	1,325	2	9½	
170	Coleraine - -	John Geary - -	January 1835	27,768	5,531	7	4½	
171	Callan - -	Michael Lynch -	April - 1831					
172	Cahirconlish -	Mary Deering - -	January 1836					
173	Castleblaney -	Patrick Farrell -	June - 1836	5,960	571	12	2	
174	Cloughnakilty -	William Bennett -	Nov. - 1822	12,050	2,693	10	4½	
175	ditto - -	Thos Bennett & Co. -	October 1833	11,182	1,552	6	5¾	
176	ditto - -	Andw & Richd Waugh	Sept. - 1837	26,217	3,345	1	8	
177	Capoquin - -	Patrick Higgins -	Sept. - 1837	4,136	509	2	–½	
178	Castlebar - -	John Dillon - -	October 1837					
179	Clones - -	John Eager - -	Nov. - 1837	273	20	6	3½	--declined business, being
180	Dundalk - -	Samuel Bradford -	Nov. - 1825	44,378	4,753	10	6	a retailer of whiskey.
181	ditto - -	Christopher Crowe -	February 1830	38,094	5,274	1	8	
182	ditto - -	Patrick M'Guinness -	June - 1831	8,159	721	19	4	
183	ditto - -	William Bradford -	Sept. - 1834	27,943	2,585	9	7	
184	Dunmanway -	John M'Donald -	February 1821	7,657	1,110	–	9	
185	ditto - -	Thomas Gardiner -	February 1828	1,688	322	8	10	
186	Drogheda - -	John Plunkett.						
187	ditto - -	Bernard Finnegan -	- - -	43,507	5,896	–	10	
188	ditto - -	Joe Montgomery -	June - 1829	39,345	3,051	11	2	
189	Donaghadee -	James Ross - -	January 1830	9,553	1,083	9	6	
190	ditto - -	John Ferguson -	January 1835	8,267	599	2	1	
191	Downpatrick -	John Robinson -	May - 1829	14,141	1,624	5	6	
192	ditto - -	Henry M'Namara -	May - 1833	10,042	938	4	10	
193	ditto - -	James Y. Young -	October 1837	5,987	663	18	9	
194	Dromore - -	George Hampton -	April - 1836	10,908	1,056	18	6	
195	Dungannon -	Charles O'Neill -	March - 1827	20,432				
196	ditto - -	Thomas Agnew -	January 1829	9,383	1,497	13	1	
197	ditto - -	Anne Dickson - -	Nov. - 1833	10,424	572	18	9	
198	ditto - -	Edward Patterson -	March - 1831	17,208	2,069	4	6	
199	ditto - -	John Slattery - -	March - 1837	114,587	718	6	8	
200	ditto - -	Catherine Ronayne -	Sept. - 1837	12,379	1,921	8	1	
201	Dublin - -	Patrick Campbell -	February 1815	123,350	16,450	18	1	
202	ditto - -	Christopher Wall -	May - 1818	83,375	5,723	7	–	for Mary's Abbey office.
203	ditto - -	Christopher Wall -	May - 1818	38,981	3,271	16	3	for Bolton-street office.
204	ditto - -	Henry Booth - -	Sept. - 1818	85,915	14,381	2	2½	for Bishop-street office.
205	ditto - -	Henry Booth - -	Sept. - 1818	73,738	9,547	18	2	for Bride-street office.
206	ditto - -	Henry Booth - -	Sept. - 1818	106,592	31,301	6	6½	for Fleet-street office.
207	ditto - -	Stephen Parker -	March - 1819	24,200	10,948	12	6	
208	ditto - -	Richard Spring -	April - 1821	76,587	8,511	–	10	
209	ditto - -	James Simmons -	April - 1821	36,775	5,434	13	2	for Queen-street office.
210	ditto - -	James Simmons -	April - 1821	58,575	7,581	8	4	for Pembroke-quay office.
211	ditto - -	Michael Fahie - -	March - 1823	61,951	6,038	4	8	
212	ditto - -	Patrick Gillespie -	April - 1830	90,782	8,299	16	6	
213	ditto - -	Samuel Smith - -	May - 1830	73,059	11,574	1	1	for Capel-street office.
214	ditto - -	Samuel Smith - -	May - 1830	97,529	14,403	2	1	for Henry-street office.
215	ditto - -	Prudence Henderson	May - 1830	94,968	13,777	6	1½	
216	ditto - -	Thomas Fannin -	June - 1830	98,651	13,464	11	7	for Mecklenburgh-street. office.
217	ditto - -	Thomas Fannin -	June - 1830	80,643	10,720	14	5	for James-street office.
218	ditto - -	Thomas Fannin -	June - 1830	109,709	14,842	17	1	for Marlborough-st. office.
219	ditto - -	Michael Nowlan -	April - 1831	127,598	15,220	2	5	for Dorset-street office.
220	ditto - -	Michael Nowlan -	April - 1831	60,214	9,762	8	5	for Nassau-street office.
221	ditto - -	Walter Doorley -	October 1832	94,607	9,363	8	3	
222	ditto - -	Patrick Hennell -	May - 1833	114,344	14,340	3	2	
223	ditto - -	John Pearson - -	April - 1834	80,086	9,891	18	4	for Crampton-court office.
224	ditto - -	John Pearson - -	April - 1834	71,751	6,637	–	2	for Nicholas-street office.
225	ditto - -	Thomas Smullen -	April - 1834	100,099	10,575	5	2	
226	ditto - -	Thomas M'Donnell -	April - 1836	78,402	14,238	7	1	
227	ditto - -	John Mullen - -	April - 1836	50,374	6,526	16	–	
228	ditto - -	James O'Gorman -	June - 1836	48,288	3,960	17	1½	
229	ditto - -	Samuel Dunne -	October 1836	21,946	3,563	5	10½	
230	ditto - -	Michael M'Garry -	Nov. - 1836	81,914	11,577	2	9	
231	ditto - -	John M'Garry - -	Nov. - 1836	- -	-	-	-	declined business.
232	ditto - -	Thomas Murphy -	March - 1837	4,007	3,922	16	10	for Exchequer-st. office.
233	ditto - -	James Barnier - -	June - 1837					

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
	YEAR ending December 1837—*continued.*							
234	Dublin - -	Patrick Walsh - -	June - 1837	32,423	3,590	3	–	
235	ditto - -	Nathaniel Halbert -	October 1837	18,880	2,185	16	3	
236	ditto - -	William Dunne -	- - -	80,669	7,951	10	10	
237	ditto - -	Thomas M'Namara -	- - -	84,519	9,692	19	1	for Thomas-street office.
238	ditto - -	Thomas M'Namara -	- - -	82,322	7,904	17	2	for Beresford-street office.
239	ditto - -	Thomas M'Namara -	- - -	42,772	5,001	10	5	for King-street office.
240	ditto - -	Thomas Murphy -	- - -	117,230	15,344	17	5	for the Coombe office.
241	ditto - -	William Parkes -	- - -	109,646	12,570	10	4½	
242	ditto - -	Laurence Redmond -	- - -	82,668	10,192	6	4	
243	ditto - -	Samuel Spencer -	- - -	73,983	9,514	3	7	
244	ditto - -	John Spring - -	- - -	102,822	13,299	8	2	for Francis-street office.
245	ditto - -	John Spring - -	- - -	95,968	12,254	18	5	for Meath-street office.
246	ditto - -	Henry Williams -	- - -	61,102	13,907	13	6	
247	ditto - -	Peter Walsh - -	- - -	110,139	12,395	15	5	
248	ditto - -	Francis Byrne - -	- - -	74,023	10,499	17	7	
249	ditto - -	Eliza M'Namara -	- - -	80,784	6,667	16	11	
250	ditto - -	William Brophy -	- - -	60,097	9,313	15	9	
251	ditto - -	Charles Marsh - -	- - -	119,516	13,506	15	11	
252	Edenderry -	Henry Jones - -	May - 1833	8,817	813	4	1	
253	Ennis - -	James Byrne - -	August 1829	23,491	3,022	1	11	
254	ditto - -	Anne Bunton - -	Dec. - 1829	32,000	6,344	14	10	
255	ditto - -	Patrick Burke.						
256	ditto - -	William Lardner -	October 1833	13,223	1,721	–	2	
257	Enniskillen -	William Armstrong -	June - 1831	23,354	1,767	2	3	
258	ditto - -	George Joyce - -	August 1836	21,820	1,243	–	4	
259	Ennistymon -	Thomas Curran -	October 1833	10,967	1,678	13	11	
260	Enniscorthy -	William Warren -	May - 1832	20,452	2,299	7	2	
261	ditto - -	Patrick Kirby - -	August - 1837					
262	Fermoy - -	Catherine Walsh -	January 1827	3,567	4,585	8	11	
263	ditto - -	Denis Downing -	October 1830	29,048	3,153	1	5	
264	Galway - -	James Walsh - -	January 1823	21,991	2,205	–	–	
265	ditto - -	Margaret Burke -	January 1825	7,883	879	4	9	
266	ditto - -	John Murray - -	Dec. - 1827	29,327	4,835	17	3½	
267	ditto - -	Patrick Duggan -	October 1832	9,174	1,069	4	7	
268	ditto - -	Hugh Cassidy - -	July - 1834	30,386	3,046	16	9	
269	ditto - -	Edward Power - -	May - 1835	36,180	2,924	12	3	
270	ditto - -	Richard Keeny -	August 1836	29,217	2,840	16	–½	
271	ditto - -	John Nevin - -	January 1837	15,904	653	–	–	
272	Gort - -	Festus Kelly - -	June - 1831	10,180	1,275	11	6	
273	ditto - -	Honora Shannon -	Nov. - 1835	11,346	1,250	4	6	
274	Granard - -	James Moore - -	May - 1836	6,111	657	12	11	
275	Kinsale - -	D. F. Sullivan - -	July - 1818	27,913	3,437	7	–	
276	ditto - -	Mary Williams - -	March - 1825	24,208	3,287	4	–	
277	ditto - -	George Williams -	January 1832	27,754	3,059	13	6	
278	Kilrush - -	Michael Honan -	July - 1831					
279	ditto - -	Jeremiah Dowling -	August 1833					
280	ditto - -	Mary Bulger - -	August 1837					
281	Killarney - -	John Carbury - -	Dec. - 1831	17,224	1,835	18	11	
282	Killaloe - -	John Doyle - -	Nov. - 1835	8,302	1,251	17	9½	
283	Kilkenny - -	Anne Reynolds -	Dec. - 1814	15,470	1,806	7	6	
284	ditto - -	John Porter - -	August 1822	8,471	1,210	5	8	
285	ditto - -	Bridget Campion -	January 1831	24,000	3,794	–	–	
286	ditto - -	Louis Rorke - -	May - 1831	36,712	4,096	12	3	
287	Kanturk - -	Grace Murphy -	- - -	9,370	974	18	6	
288	ditto - -	Owney Sheahan.						
289	Kilfinnan - -	John Gearon - -	Sept. - 1834	6,487	867	14	10	
290	Lurgan - -	Robert Hazleton -	April - 1828	18,246	782	6	4	
291	ditto - -	Mary Turkington -	May - 1834	13,835	603	11	2	
292	ditto - -	Mathew Wells - -	February 1837	14,485	525	5	9	
293	Longford - -	Michael Quinn -	July - 1835	14,908	1,384	6	10⅓	
294	Lisburne - -	Erskine Nealey -	April - 1821	22,439	3,174	16	6	
295	ditto - -	Jane Spence - -	April - 1821	11,761	1,265	19	10	
296	ditto - -	Hugh Seeds - -	April - 1821	35,854	5,680	12	8	
297	ditto - -	Hugh Mc'Call - -	January 1828	16,154	2,612	19	11	
298	ditto - -	Samuel Pelan - -	February 1837	9,387	2,320	12	5½	
299	ditto - -	James Bannister -	January 1838	3,213	207	2	2	
300	Londonderry -	John M'Cormick -	July - 1831	26,000	2,600	–	–	
301	ditto - -	George Williamson -	January 1832	24,680	5,490	–	3	
302	ditto - -	Marcus M'Loughlin -	Nov. - 1835	18,643	1,829	–	9	
303	ditto - -	James G. Wellington	January 1838	336	40	9	1	
304	Loughrea - -	John Dillon - -	March - 1826	5,341	305	2	5	
305	ditto - -	William Hardey -	March - 1829	3,718	316	10	9	
306	ditto - -	John Cowen - -	October 1837	17,970	2,147	2	1	
307	Larne - -	Bernard A. Davison -	Sept. - 1835	11,221	926	2	6	

(*continued.*)

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £.	s.	d.	OBSERVATIONS.
	YEAR ending December 1837—*continued.*							
308	Larne - -	James Highton -	February 1836	4,247	270	5	11	
309	Limerick - -	William Joynte -	- - -	38,301	3,728	5	2	
310	ditto - -	Edward Browne -	- - -	43,502	5,273	7	10	
311	ditto - -	Alexander Trousdale	- - -	50,255	6,662	16	–	
312	ditto - -	Elizabeth Parker.						
313	ditto - -	Mathew Connellan -	October 1821	17,592	2,308	3	3	
314	ditto - -	Edward Homan -	May - 1822	18,705	1,337	8	11	
315	ditto - -	Robert Stuart - -	May - 1823	18,803	3,793	12	3½	
316	ditto - -	Timothy Bunton -	July - 1823	23,970	6,670	4	3	
317	ditto - -	John Bunton - -	July - 1823					
318	ditto - -	John Joynte - -	May - 1824	34,085	5,244	1	7	
319	ditto - -	Michael Barran -	May - 1824	14,209	3,181	–	1	
320	ditto - -	Messrs. Myles & Co.	June - 1825	35,297	5,362	2	10	
321	ditto - -	Michael Kelly - -	January 1826	23,836	3,161	2	–	
322	ditto - -	Mary Lynch - -	January 1826					
323	ditto - -	Margaret Lawson -	October 1826					
324	ditto - -	Hannah Russell -	May - 1829					
325	ditto - -	John Drysdale - -	Nov. - 1830					
326	ditto - -	Michael Donovan -	Nov. - 1832	34,120	4,078	19	9½	
327	ditto - -	Margaret Laurence -	October 1833	5,436	990	11	6	
328	ditto - -	Edward G. Parker -	June - 1834	6,895	391	14	1	
329	Lismore - -	John Slattery - -	May - 1835	6,762	667	17	6	
330	Mountrath -	William Tracey -	May - 1829	26,884	3,565	7	7	
331	Mitchelstown -	Catherine Walsh -	June - 1831	24,368	2,826	14	4	
332	Moy - -	George Spencer -	June - 1836	2,419	224	2	–	
333	Mallow - -	William B. Williams	July - 1830	14,600	2,260	4	10	
334	ditto - -	John Carbury - -	February 1836	11,712	1,165	7	5	
335	ditto - -	Maurice O'Connell -	June - 1837	26,864	3,138	18	7½	
336	Markethill -	Francis Grey - -	January 1833	9,956	1,248	6	6	
337	Mountmellick -	William Baker - -	Sept. - 1832	16,600	1,748	11	4	
338	ditto - -	James Fitzgerald -	October 1833	7,165	726	19	9½	
339	ditto - -	John Haslam - -	August 1836	14,771	1,970	17	1	
340	Macroom - -	George Wiseman -	January 1819					
341	ditto - -	John Wiseman - -	October 1829					
342	Mullingar - -	Joseph Finnegan -	January 1836	24,618	2,584	4	8½	
343	Monaghan -	John Hewitt - -	May - 1827	9,885	958	4	11	
344	ditto - -	Simeon Reilly - -	July - 1837	9,843	337	17	6½	
345	Middleton -	William H. Trenwith	Sept. - 1837					
346	Maryborough -	John Morgan - -	February 1830					
347	ditto - -	Hugh Bailey - -	February 1835	12,647	1,895	6	6	
348	Nenagh - -	William Carey - -	April - 1826	8,228	1,524	9	11	
349	ditto - -	William Harding -	January 1830					
350	ditto - -	William Consedine -	Nov. - 1830	8,314	817	–	4	
351	ditto - -	Patrick Magrath -	August 1834	17,415	1,992	12	1½	
352	ditto - -	Mary Hickey - -	May - 1836	3,133	276	1	5½	
353	ditto - -	William Mackey -	July - 1836	7,383	563	4	11½	
354	Newcastle -	Patrick Neville -	April - 1834	8,132	1,232	3	6	
355	Newry - -	Richard Whitehead -	- - 1827	21,200	2,938	12	5½	
356	ditto - -	George Frazer - -	- - 1827	14,526	1,424	11	9	
357	ditto - -	Thomas Laing & Co.	January 1829	15,599	1,481	16	6	
358	ditto - -	James Hutton - -	March - 1830	14,175	1,756	–	–	
359	ditto - -	Henry Collins - -	Dec. - 1833	15,848	1,392	19	7	
360	ditto - -	Richard Harcourt -	Dec. - 1833	22,705	2,046	4	4½	
361	ditto - -	Bernard M'Donnell -	February 1833					
362	ditto - -	John Murdock - -	March - 1836					
363	ditto - -	James P. Boyd -	March - 1837	4,288	361	5	–	
364	Newtownhamilton	John Mills - -	February 1831	4,050	564	5	6	
365	ditto - -	Alexander Stitt -	October 1835	3,355	368	14	4	
366	Newtonards -	Thomas Miscampble	October 1824	27,549	2,686	8	2	
367	ditto - -	David Patton - -	Dec. - 1831	8,750	744	17	7	
368	ditto - -	Alexander M'Connell	April - 1832	5,664	585	11	1	
369	New Ross -	Elizabeth M'Carthy -	Dec. - 1836	23,542	1,765	14	2	
370	Naas - -	Ephraim Farrell -	June - 1836	18,846	2,500	18	10	
371	Navan - -	Philip Finnegan -	June - 1833					
372	Omagh - -	Charles M'Master -	June - 1835	11,287	1,294	15	4	
373	Passage, West -	Daniel Heagarty -	April - 1831	16,823	1,475	2	9	
374	Portadown -	John Mays - -	April - 1835	9,472	255	10	8	
375	Rosscarberry -	James Donoughue -	April - 1837	4,543	721	19	7½	
376	Rathfryland -	James Savage - -	February 1832	9,919	1,019	15	11	
377	ditto - -	James M'Roberts -	July - 1837	3,472	445	10	10	
378	Roscommon -	Edward Kelly - -	Nov. - 1834	1,563	144	19	7½	
379	ditto - -	James Higgins -	August 1837					
380	Rathkeale - -	Julius Ruttle - -	June - 1824	11,100	1,084	4	–	
381	ditto - -	John Latchford -	Dec. - 1834	19,994	690	8	10	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	TOWNS.	PAWNBROKERS' NAMES.	DATES OF REGISTRY.	TICKETS.	SUMS LENT. £. s. d.	OBSERVATIONS.
	YEAR ending December 1837—*continued.*					
382	Rathkeale -	Bridget Gill - -	August 1836	4,170	294 – –	
383	Roscrea - -	Patrick Kirwan -	October 1823	37,180	4,304 1 6½	
384	ditto - -	John Delany - -	July - 1824	30,180	4,703 18 4	
385	ditto - -	James Phelan - -	April - 1835			
386	ditto - -	John Abbott - -	October 1837			
387	Sligo - -	Terence O'Donovan	April - 1830			
388	ditto - -	Eleanor Keaghran -	October 1837			
389	Skibbereen -	Ralph Fuller - -	Sept. - 1837			
390	ditto - -	Edward Fuller -	Sept. - 1837	3,066	413 13 6	
391	Tulla - -	Mort Shannon - -	February 1835	1,739	281 6 10	
392	Thurles - -	Hugh Bird - -	August 1837	2,809	177 6 6	
393	ditto - -	Margaret Ardagh.				
394	ditto - -	Joshua Strangman -	- - -	5,143	377 6 4	
395	Tuam - -	Timothy Murray -	- - -	25,438	2,569 11 9	
396	ditto - -	John Mangan - -	February 1835	17,178	1,927 9 3	
397	Tralee - -	Henry Ruttle - -	Nov. - 1822	14,638	2,397 12 5	
398	ditto - -	Thomas Bunton -	Sept. - 1827	21,611	4,347 1 2	
399	ditto - -	Anne Brien - -	Nov. - 1835	3,966	291 16 9	
400	ditto - -	Christopher Ruttle -	Nov. - 1835	13,310	1,776 5 10½	
401	ditto - -	John Morris - -	October 1836	16,026	1,320 6 10½	
402	Tullamore -	Henry Whitesides -	May - 1824			
403	ditto - -	Laurence Mackey -	April - 1832	25,939	4,275 5 4	
404	ditto - -	Daniel Carroll -	Nov. - 1835	17,576	1,649 16 5	
405	ditto - -	Edward M'Cann -	Nov. - 1836	7,320	676 11 5½	
406	Tallow - -	Patrick Higgins -	Sept. - 1834	12,761	1,843 8 11	
407	ditto - -	John Slattery - -	Sept. - 1837	5,762	353 15 –	
408	Templemore -	John O'Brien - -	June - 1837	4,840	420 4 2½	
409	ditto - -	Michael Kirwan -	Sept. - 1837	7,557	517 15 8	
410	Tipperary -	James Foley - -	April - 1824			
411	ditto - -	John Ferguson & Co.	July - 1837	4,935	643 7 3	
412	Tanderagee -	Robert Robinson -	Sept. - 1834	12,486	1,341 – 10½	
413	Waterford -	Catherine Duffy -	- - -	6,132	700 – 4	
414	ditto - -	Hannah Pounder -	- - -	23,223	3,156 13 9½	
415	ditto - -	Mrs. O'Reilly - -	- - -	8,167	478 3 1	
416	ditto - -	Elizabeth Lawton -	April - 1822	29,701	3,442 9 5	
417	ditto - -	Elizabeth Slaney -	March - 1823	10,749	1,435 4 6	
418	ditto - -	Fenton W. Case -	June - 1825			
419	ditto - -	Robert Sheffield -	May - 1827	78,764	2,120 15 11	
420	ditto - -	John Irwin - -	June - 1827	25,382	3,784 9 10	
421	ditto - -	Edward Madigan -	June - 1828	13,796	811 15 –	
422	ditto - -	Margaret Manning -	May - 1829	29,643	2,815 3 10	
423	ditto - -	Catherine Manning -	May - 1829	13,116	2,278 8 4	
424	ditto - -	Edward Grennan -	October 1829	26,428	3,262 – 1	
425	ditto - -	John Noble - -	April - 1831	10,824	662 1 8	
426	ditto - -	Benjamin Hill - -	Sept. - 1832	448	16 17 4	
427	ditto - -	Anne Todd - -	October 1832			
428	ditto - -	William Slaney -	January 1834	5,283	671 14 6	
429	ditto - -	Daniel Doyle - -	June - 1834	22,527	2,772 10 9	
430	ditto - -	John O'Brien - -	August 1834	8,260	788 18 7	
431	ditto - -	Elizabeth Kavanagh -	April - 1835	25,548	1,876 – 8	
432	ditto - -	John Todd - -	- - 1836	29,056	3,096 7 10	
433	ditto - -	Edward Hynes -	June - 1836	12,531	1,443 – 7	
434	ditto - -	William Blanch -	Dec. - 1836			
435	ditto - -	Martin Walsh - -	October 1837	12,117	1,498 17 2	
436	ditto - -	Johannah Dunphy -	- - 1837	1,270	70 7 3½	
437	Wexford - -	William Lee - -	January 1832	12,727	1,339 3 10⅓	
438	ditto - -	Nicholas Tennant -	October 1832			
439	ditto - -	John Waddick - -	June - 1835			
440	Warrenpoint -	William Johnston -	October 1832	11,512	1,410 2 10	
441	Youghall - -	Catherine Walsh -	February 1820	30,282	3,390 11 5	
442	ditto - -	Mary Barry - - -	June - 1836	34,365	894 3 –	
443	ditto - -	Mathew Flanagan -	March - 1837	1,505	359 14 11	
444	ditto - -	Michael Mullins -	April - 1837	31,423	2,712 – 11	
445	ditto - -	Andrew Johnston -	October 1837	2,261	285 15 1	

I certify the foregoing is a correct and perfect list (acquired by personally visiting almost every town in Ireland within the last twelve months) of those Pawnbrokers who have lodged certificates of their having perfected the necessary securities as required by the Statute, and that it contains a true account of the Returns received by me for this (my sixth) year from the Pawnbrokers of Ireland.

So answers

21 April 1838.

John Judkin Butler,
Marshal of Dublin, and Register of Pawnbrokers for Ireland.

Returns from the Marshal of the City of *Dublin*—continued.

RETURNS received from the Divisional Auctioneers of Forfeited Pledges, for the year ending December 1833 and 1834.

DIVISIONAL SALE ROOM'S RETURNS.

Workhouse Divisional Sale Room for the Sale of Forfeited Pledges.

Rodolphus Burke, Auctioneer.

	£.	s.	d.
1833:			
January	762	15	2
February	739	8	10
March	817	10	1
April	862	18	11
May	868	4	11
June	1,029	17	3
July	954	6	11
August	1,115	14	6
September	936	15	3
October	1,219	11	9
November	1,018	5	10
December	1,088	17	1
1834:			
January	1,298	3	10
February	952	12	7
March	977	16	10
April	1,459	2	10
May	1,064	3	–
June	1,079	17	10
July	1,283	8	1
August	1,046	9	–
September	1,297	–	2
October	1,581	7	9
November	1,286	15	8
December	1,228	1	9
1835:			
January	1,261	3	3
February	1,032	17	8
March	1,250	8	10
April	1,298	10	10
May	1,190	9	1
June	1,111	15	4
1835—*continued.*			
July	1,427	13	9
August	1,199	6	7
September	1,354	15	1
October	1,552	13	3
November	1,368	2	5
December	1,264	7	6
1836:			
January	1,167	3	2
February	1,110	5	8
March	1,562	7	11
April	1,269	6	7
May	1,464	7	5
June	1,516	–	4
July	1,376	19	2
August	1,137	3	4
September	1,380	6	6
October	1,435	17	2
November	1,705	19	10
December	1,392	13	6
1837:			
January	1,113	4	1
February	1,084	14	6
March	1,341	19	2
April	1,234	13	1
May	1,386	12	8
June	1,362	14	5
July	1,256	9	–
August	1,308	15	5
September	1,278	8	2
October	1,499	13	10
November	1,264	1	6
December	1,455	2	2

BARRACK DIVISIONAL SALE ROOM RETURN.

(Mr. *Jones*, the former Proprietor of this Divisional Sale Room, died in the year 1835.)

	£.	s.	d.
1836:			
July	450	1	6
August	604	3	–
September	550	2	6
October	612	10	6
November	650	3	4
December	432	7	4
1837:			
January	451	6	–
February	430	2	6
March	510	3	6
1837—*continued.*			
April	450	4	2
May	410	2	6
June	504	10	–
July	520	7	4
August	467	6	–
September	454	4	–
October	610	10	4
November	513	6	6
December	401	3	2

John Dodd, Auctioneer,
12, Sackville-street.

RETURNS from the Marshal of the City of *Dublin*—continued.

RETURNS received from the DIVISIONAL AUCTIONEERS of FORFEITED PLEDGES, for the years ending December 1833, 1834 and 1835.

ROTUNDA DIVISION RETURN.

William Frederick Bentley,
Assistant Sword-bearer and Auctioneer, Capel-street.

1833:	£.	s.	d.
January -	579	6	8
February -	465	9	4 ½
March -	537	14	8 ½
April - -	540	9	5 ½
May - -	595	1	– ½
June - -	588	2	10 ½
August -	555	18	– ½
September -	587	2	–
October -	561	13	10
November -	625	12	3 ½
December -	629	14	– ½
1834:			
January -	655	16	2
February -	627	3	6
March -	588	3	8 ½
April - -	637	14	10
May - -	710	3	11
June - -	603	16	6 ½
July - -	778	7	4
August -	688	18	8 ½
September -	735	15	3
October -	1,067	4	9

1834—*continued.*	£.	s.	d.
November -	721	18	2
December -	688	4	3
1835:			
January -	766	16	8
February -	689	10	6
March -	732	–	7
April - -	762	11	3 ½
May - -	715	2	6
June - -	820	–	1
July - -	800	13	–
August -	872	11	9 ½
September -	946	8	– ½
October -	1,062	11	3 ½
November -	1,069	18	8 ½
December -	990	1	6
1836:			
January -	704	13	1
February -	831	17	6
March -	1,180	18	9
April - -	887	15	7 ½

1836—*continued.*	£.	s.	d.
May - -	826	11	8 ½
June - -	901	18	2
July - -	685	13	2 ½
August -	799	–	1
September -	875	19	11 ½
October -	762	12	5
November -	940	8	2 ½
December -	955	17	11 ½
1837:			
January -	774	14	7 ½
February -	613	4	11 ½
March -	750	10	1 ½
April - -	785	10	10 ½
May - -	823	6	1
June - -	863	13	5 ½
July - -	738	9	5 ½
August -	744	18	–
September -	741	4	– ½
October -	835	2	6
November -	967	–	1
December -	635	4	2

STEPHEN'S GREEN DIVISION RETURN.

William Frederick Bentley,
Assistant Marshal and Auctioneer, Bride-street.

1833:	£.	s.	d.
January -	614	16	1
February -	901	1	2
March -	853	2	2 ½
April - -	974	17	1
May - -	745	17	5 ½
June - -	1,039	15	9
July - -	1,034	8	9
August -	651	2	– ½
September -	756	15	5 ½
October -	756	15	5 ½
November -	1,435	12	10
December -	873	9	7 ½
1834:			
January -	890	6	5
February -	1,396	6	11 ½
March -	876	5	2
April - -	1,115	10	2
May - -	1,084	7	– ½
June - -	781	16	3 ½
July - -	1,068	5	6 ½
August -	1,087	2	– ½
September -	1,179	13	4

1834—*continued.*	£.	s.	d.
October -	1,417	7	2 ½
November -	1,513	7	5 ½
December -	1,359	9	9 ½
1835:			
January -	1,273	–	1 ½
February -	1,379	19	9 ½
March -	1,246	10	2 ½
April - -	1,489	15	1 ½
May - -	1,500	–	4
June - -	1,088	13	9
July - -	1,257	19	8
August -	1,108	10	2
September -	1,210	8	3
October -	1,136	13	7 ½
November -	1,329	8	9
December -	971	13	7 ½
1836:			
January -	1,174	13	1 ½
February -	1,112	1	4
March -	1,145	5	3 ½

1836—*continued.*	£.	s.	d.
April - -	1,469	12	11
May - -	1,166	13	10
June - -	1,398	18	5 ½
July - -	1,290	10	5
August -	1,146	11	4
September -	1,302	–	7
October -	1,461	1	3 ½
November -	1,513	7	11
December -	1,429	1	4 ½
1837:			
January -	1,115	19	11
February -	1,188	18	5
March -	975	4	1 ½
April - -	971	1	10
May - -	1,152	18	11
June - -	1,133	–	3
July - -	1,071	19	5 ½
August -	1,036	14	2
September -	1,322	14	1
October -	1,137	15	3
November -	1,468	15	5 ½
December -	1,729	11	– ½

I certify the foregoing are true and perfect accounts of the Returns of Sales of Forfeited Pledges received by me from the Auctioneers of the four Divisional Sale-rooms.

So answers

John Judkin Butler,
Marshal and Register.

21 April 1838.

RETURNS from the Marshal of the City of *Dublin*—continued.

RETURNS of SALES RECEIVED from the PAWNBROKERS of *Dublin*.

YEAR ending DECEMBER 1833.

NO.	PAWNBROKERS' NAMES.	Number of Sales.	Number of Notices.	OBSERVATIONS.
1	Henry Booth (3 offices)	9	1,358	
2	Augustine Byrne	2	134	
3	Robert Burrows	1	63	since declined business.
4	Patrick Campbell	1	32	
5	William Dunne	6	88	
6	David Fennell	2	91	since declined business.
7	Thomas Fannin, Mecklenburgh-street	1	38	
8	Ditto Marlborough-street	2	149	
9	Michael Fahie	2	74	
10	Walter Goulding	1	34	since dead.
11	Patrick Gillespie	1	312	
12	Thomas M'Namara (3 offices)	7	548	
13	Thomas Murphy	6	310	
14	Patrick M'Garry	2	140	since dead.
15	Charles Marsh	1	90	
16	Maurice Nowlan	1	98	
17	William Parkes	4	162	
18	Stephen Parker	1	31	
19	Prudence Perrier	1	45	
20	John Quinn	-	-	error.
21	John Quinn, Bride-street	7	383	since declined business.
22	John Quinn, Haymarket	1	16	
23	Laurence Redmond	1	79	
24	Samuel Smith (2 offices)	3	219	
25	John Spring	3	110	
26	Joseph Sanderson	2	280	since declined business.
27	Luke Walls Widow	1	594	since declined business.
	John Whitcraft	7	499	since declined business.

YEAR ending DECEMBER 1834.

1	Henry Booth (3 offices)	33	5,018	
2	Eliza Brennan	5	345	since declined business.
3	Francis Byrne	4	234	
4	Robert Burrows	2	98	
5	Augustine Byrne	4	261	since declined business.
6	Thomas Charles	15	779	
7	Patrick Campbell	2	40	
8	Walter Doorley	11	842	
9	William Dunne	5	333	
10	Thomas Fannin, Mecklenburgh-street	7	209	
11	Ditto Marlborough-street	8	922	
12	Ditto Townsend-street	4	427	
13	Michael Fahie	9	667	
14	David Fennell, Meath-street	4	223	since declined business.
15	Patrick Gillespie	4	1,114	
16	James Hunter	3	452	since a bankrupt.
17	Prudence Henderson	3	141	
18	Patrick Kearns	11	876	since a bankrupt.
19	Thomas M'Namara (3 offices)	17	1,584	
20	Eliza M'Namara	1	28	
21	Thomas Murphy	2	139	
22	Charles Marsh	3	554	
23	Maurice Nowlan (2 offices)	10	1,260	
24	William Parkes	12	855	
25	Stephen Parker	4	157	
26	John Quinn	1	12	
27	Laurence Redmond	3	336	
28	William Richardson	7	297	
29	Samuel Smith (2 offices)	8	946	
30	Joseph Sanderson	8	1,053	
31	Richard Spring	1	64	
32	John Spring	12	742	
33	James Simmons	2	146	
34	Samuel Spencer	3	97	
35	Arthur Wise	3	104	since dead.

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	PAWNBROKERS' NAMES.	Number of Sales.	Number of Notices.	OBSERVATIONS.
	YEAR ending December 1834—*cont*^{d}.			
36	Peter Walsh, Crampton-court - -	4	170	
37	Henry Williams - - - - -	4	306	
38	Eleanor Wall - - - - -	1	97	
39	John Whitcraft - - - -	23	1,712	since declined business.

YEAR ending DECEMBER 1835.

1	John Anderson - - - -	3	133	since declined business.
2	Henry Booth (3 offices) - - -	27	4,636	
3	Francis Byrne - - - - -	4	426	
4	Augustine Byrne - - - -	1	89	since declined business.
5	Thomas Charles - - - -	13	941	
6	Patrick Campbell - - - -	4	109	
7	William Doorley - - - -	5	243	
8	William Dunne - - - -	9	656	
9	Patrick Fennell - - - -	2	95	
10	Thomas Fannin, Marlborough-street -	9	1,015	
11	Thomas Fannin, Mecklenburgh-street	10	463	
12	Thomas Fannin, James's-street - -	5	329	
13	Michael Fahie - - - - -	7	911	
14	Patrick Gillespie - - - -	5	686	
15	Prudence Henderson - - -	2	92	
16	Patrick Kearns - - - -	8	617	
17	Patrick M'Garry - - - -	2	224	
18	Thomas Murphy - - - -	5	371	
19	Charles Marsh - - - - -	4	938	
20	Thomas M'Namara (3 offices) - -	10	1,280	
21	Maurice Nowlan (2 offices) - -	12	1,140	
22	Stephen Parker - - - -	5	180	
23	William Parkes - - - -	11	1,271	
24	John Pearson - - - - -	8	712	
25	James Power - - - - -	4	130	since declined business.
26	John Quinn - - - - -	4	101	since declined business.
27	William Richardson - - - -	5	374	since dead.
28	Laurence Redmond - - - -	3	640	
29	Joseph Sanderson - - - -	7	754	
30	Samuel Smith (2 offices) - - -	8	1,252	
31	James Simmons - - - -	4	423	
32	Thomas Smullen - - - -	7	561	
33	John Spring - - - - -	12	810	
34	Richard Spring - - - -	13	101	
35	Samuel Spencer - - - -	5	204	
36	Arthur Wise - - - - -	1	44	since dead.
37	Patrick Walsh - - - - -	5	548	
38	Henry Williams - - - -	5	514	
39	Eleanor Wall - - - - -	3	264	
40	Christopher Wall - - - -	2	30	
41	John Whitcraft - - - -	26	2,382	

YEAR ending DECEMBER 1836.

1	John Anderson - - - -	4	137	since declined business.
2	Robert Burrows - - - -	1	37	since declined business.
3	Henry Booth (3 offices) - - -	35	7,295	
4	Francis Byrne - - - - -	8	619	
5	William Brophy - - - -	5	188	
6	Patrick Campbell - - - -	5	226	
7	Thomas Charles - - - -	10	995	
8	William Dunne - - - -	8	787	
9	Walter Doorley - - - -	9	1,071	
10	Michael Fahie - - - - -	9	1,293	
11	Thomas Fannin, Marlborough-street -	6	1,305	
12	Thomas Fannin, James's-street - -	7	540	
13	Thomas Fannin, Mecklenburgh-street	8	519	
14	Patrick Fennell, Denzille-street -	8	1,261	
15	Patrick Gillespie - - - -	3	720	
16	Patrick Kearns - - - -	4	123	since declined business.
17	Prudence Henderson - - -	7	287	since dead.
18	Thomas Murphy - - - -	6	484	

RETURNS from the Marshal of the City of *Dublin*—continued.

NO.	PAWNBROKERS' NAMES.	Number of Sales.	Number of Notices.	OBSERVATIONS.
	YEAR ending December 1836—*cont^d.*			
19	Charles Marsh	6	774	
20	Thomas M'Namara (3 offices)	19	2,367	
21	Michael M'Garry	3	171	
22	Maurice Nowlan (2 offices)	12	1,921	
23	John Pearson (2 offices)	24	2,979	
24	James Power	2	64	since declined business.
25	John Quinn	8	66	since declined business.
26	William Richardson	7	448	since dead.
27	Stephen Parker	4	225	
28	Laurence Redmond	3	741	
29	William Parkes	13	1,798	
30	Samuel Smith (2 offices)	13	1,668	
31	Joseph Sanderson	8	1,719	
32	Thomas Smullen	11	820	
33	James Simmons	4	476	
34	Samuel Spencer	5	189	
35	Richard Spring	5	262	
36	John Spring	14	1,117	
37	Christopher Wall	2	36	
38	Henry Williams	8	978	
39	John Whitcraft (2 offices)	24	2,809	
	YEAR ending DECEMBER 1837.			
1	John Anderson	2	15	since declined business.
2	James Barnier	1	57	
3	Robert Burrows	2	99	since declined business.
4	Francis Byrne	9	597	
5	William Brophy	3	31	
6	Henry Booth (3 offices)	26	4,356	
7	Patrick Campbell	4	157	
8	Thomas Charles	5	320	
9	William Dunne	8	630	
10	Walter Doorley	4	189	
11	Michael Fahie	10	721	
12	Thomas Fannin, Marlborough-street	6	594	
13	Thomas Fannin, Mecklenburgh-street	3	225	
14	Thomas Fannin, James's-street	5	197	
15	Patrick Fennell	7	1,051	
16	Patrick Gillespie	5	812	
17	Prudence Henderson	4	119	dead.
18	John Mullen	2	141	
19	Charles Marsh	3	494	
20	Thomas Murphy	4	257	
21	Michael M'Garry	1	200	
22	Thomas M'Donnell	1	36	
23	Thomas M'Namara (3 offices)	15	1,976	
24	Maurice Nowlan (2 offices)	7	6,111	
25	John Pearson (2 offices)	18	2,952	
26	James O'Gorman	2	118	
27	Stephen Parker	4	88	
28	William Parkes	13	1,188	
29	John Quinne	3	71	
30	Laurence Redmond	2	587	
31	Samuel Smith	9	1,064	
32	John Spring (2 offices)	15	732	
33	Richard Spring	8	219	
34	Thomas Smullen	14	752	
35	James Simmons	3	441	
36	Samuel Spencer	6	198	
37	Joseph Sanderson	2	369	since declined business.
38	Christopher Wall	3	68	
39	Henry Williams	10	715	
40	John Whitcraft	18	1,651	since declined business.

I certify the foregoing are perfect Lists of the Notices of Sales served by me for the Pawnbrokers of Dublin since the year 1833.

So answers

John Judkin Butler,
Marshal and Register.

21 April 1838.

RETURNS from the Marshal of the City of *Dublin*—continued.

PENALTIES imposed on PAWNBROKERS by me - - - - - - None.

AVERAGE FEES received by me as REGISTER of PAWNBROKERS.

	£.	s.	d.
Registering Pawnbrokers' Licenses and Returns - - - - - -	350	–	–
Serving Pawnbrokers' Notices of the sale of forfeited pledges - - -	250	–	–
Profits on the sale of forfeited pledges as per return from William F. Bentley, my assistant and auctioneer in the Stephen's Green divisional sale-room -	312	–	–
AVERAGE INCOME - - - £.	912	–	–

Since my appointment to office, I have used every exertion to compel the Pawnbrokers of Ireland to make Returns. Every year they have increased in number, and the last year shows a very small deficiency. I have no doubt my next Return will not present a single defaulter.

So answers

John Judkin Butler,
Marshal of Dublin and Register of Pawnbrokers in Ireland,
No. 62, Upper Gardiner-street, Dublin.

The above Returns completed this 21st day of April 1838.

RETURNS from the CLERKS of the PEACE, City of *Dublin*.

A RETURN of the Names and Residences of all PAWNBROKERS in the City of *Dublin* who have lodged BONDS with the Town Clerks; together with the Names, Residences and Occupations of their Sureties, and the Dates of each such Bonds.

NAMES AND RESIDENCES.	NAMES, RESIDENCES AND OCCUPATIONS OF SURETIES.	DATES OF BONDS.	OATH LODGED.
Richard Spring, Francis-street.	- - Samuel Smith, of Henry-street, Pawnbroker; John Spring, of Francis-street, Pawnbroker; and Thomas Murphy, 96, Coombe.	30 Mar. 1811	30 Mar. 1811.
Patrick Campbell, 28, Chancery-lane.	- - William Parks, 19, Charlotte-street; Thomas Sargant, 47, Upper Dorset-street; and Samuel Smith, 65, Back-lane.	17 Apr. 1816	16 Apr. 1816.
Laurence Redmond, 116, Abbey-street.	- - Thomas Murphy, 96, Coomb; Samuel Smith, 49, Bishop-street; and Laurence Malone, 100, Bride-street.	15 May 1817	24 Mar. 1815.
Peter Walsh, 118, Great Britain-street.	- - Samuel Winter, 76, Great Britain-street, Hosier; Peter Keon, 124, Capel-st., Grocer; and William Dunn, 128, Great Britain-street.	17 Apr. 1817	10 Apr. 1817.
Samuel Smith, 89, Capel-street.	- - Thomas Ewing, Wood Quay, Shoemaker; Robert Sherlock, 7, Patrick-street; and William Parks, of Charlotte-street.	– June 1818	4 Apr. 1818.
Stephen Parker, 2, St. Andrew-street.	- - Richard Montgomery, Rutland street; George Connor, Francis-street; and Samuel Neville, Stafford-street.	25 Mar. 1818	25 Mar. 1819.
Robert Burrowes, 25, Denmark-street.	- - Edward Adams, 44, Nassau-street, Jeweller; Mary Anne Burrowes, 69, Charlemont-street, widow; and James Bell, Rose Vale, Raheny, Esquire.	30 Mar. 1819	30 Mar. 1819.
Joseph Saunderson, 8, Cuffe-street.	- - Thomas M'Namara, 14, Usher's Quay, Auctioneer; Samuel Eades, 30, Golden-lane; and James O'Hara, 52, South King-street.	10 June 1820	7 June 1820.
Prudence Henderson, 15, Montague-street.	- - Laurence Malone, 100, Bride-street; Samuel Smith, 89, Capel-street; and Christopher Connor, 28, Chancery-lane.	23 Nov. 1820	13 Oct. 1820.
Thomas M'Namara, 52, Beresford-street.	- - Peter Walsh, 118, Great Britain-street; Thomas Harris, 43, Great Britain-street; and Michael Brennan, 67, Meath-street.	25 Apr. 1828	24 Mar. 1821.
Peter Parks, 7, Kevin-street.	- - Samuel Smyth, 89, Capel-street; Thomas Murphy, 96, Coombe; and Thomas Murphy, 28, Chancery-lane.	5 Apr. 1825	No oath.
Christopher Wall, 18, Mary's Abbey.	- - Thomas Tracy, Mabbot-street; Christopher Hodgers, 167, Church-street; and John Scott, of Kildare, Hotel-keeper.	27 Mar. 1818	26 Mar. 1818.
Michael Fahie, 8, Cuffe-street.	- - Thomas M'Namara, Thomas-street, Pawnbroker; John Pearson, 29, Denzille-street, Gentleman; and Joseph Saunderson, 8, Cuffe-street, Gentleman.	24 Mar. 1828	No oath.
Henry Boothe, 3, Essex Gate.	- - Samuel Smith, 8, Capel-street; William Thomas Ewing, 7, Wood Quay; and Charles Le Grange, 40, Upper Baggot-street.	23 Mar. 1808	22 Mar. 1807.

RETURNS from the Clerks of the Peace, City of *Dublin*—continued.

NAMES AND RESIDENCES.	NAMES, RESIDENCES AND OCCUPATIONS OF SURETIES.	DATES OF BONDS.	OATH LODGED.
Charles Marsh, 40, Golden-lane.	- - Laurence Redmond, Abbey-street, Pawnbroker; Jas. Moore, Eustace-street, Jeweller; and J. W. Cohen, Ormond Quay, Jeweller.	13 Jan. 1832	9 Dec. 1831.
Patrick Gillespie, 65, Back-lane.	- - Patrick Campbell, Townsend-street, Pawnbroker; Patrick Carey, Dolier-street, Merchant Tailor; and Peter Byrne, Wellington Buildings, Hatmaker.	13 Apr. 1830	- - No oath lodged.
Thomas Fannin, jun. 59, Marlborough-street.	- - Abraham Briscoe, Rathmines; Thomas Fannin, sen., Rathmines, Gentleman; and Henry Fannin, of Mecklenburgh-street, Pawnbroker.	1 May 1830	- - No oath lodged.
Henry Williams, 5, Abbey-street.	- - William Braithwaite, 3, Dolier-street, Tailor; William F. Bentley, 37, Charlemont-street, Gentleman; and Thomas B. Muley, Kingston, Gentleman.	1 Jan. 1831	30 Dec. 1830.
Michael Nowlan, 122, Upper Dorset-street.	- - Laurence Finn, Bishop-street, Brewer; Maurice Nowlan, Bride-street, Grocer; and Richard Finn, George's-lane, Publican.	18 Feb. 1831	16 Feb. 1831.
William Brophy, 60, South Great Georges'-street.	- - William Collins, 95, Grafton-street, Shoemaker; Richard West Smith, 31, Exchequer-street, Silversmith; and James Gamble, Exchequer-street, Jeweller.	24 Mar. 1831	23 Mar. 1831.
John Spring, Francis-street.	- - Michael Spring, Horelawn, county Dublin, Gentleman; William Frederick Bentley, of Charlemont-street, Auctioneer; and Joseph Bagnall, 48, York-street, Gentleman.	22 Mar. 1831	18 Mar. 1831.
David Fennell, 4, Meath-street.	- - James Lawler, Spitalfields, Merchant; Laurence Redmond, Abbey-street, Pawnbroker; and Terrence Fennell, Meath-street, Gentleman.	14 Apr. 1831	14 Apr. 1831.
Elizabeth M'Namara, Ashe-street.	- - James Rossiter, Usher's Quay, Merchant; John Clare, Ormond Quay, Merchant; and Samuel Smith, Henry-street, Pawnbroker.	17 Jan. 1832	17 Dec. 1831.
Augustus Byrne, 16, Denzille-street.	- - Christopher Wall, Mary's Abbey, Pawnbroker; Patrick M'Donnell, Francis-street, Woollendraper; and John O'Neill, Cork-street, Tanner.	24 Mar. 1832	22 Mar. 1832.
Michael Quinn, 76, Bride-street.	- - Arthur M'Kenna, Thomas-street; William Steele, Russell-place; and Robert Travers, Wentworth-place.	20 June 1832	22 May 1832.
Walter Doorley, 153, Francis-street.	- - Augustus Byrne, 14, Denzille-street, Pawnbroker; Peter Doorley, Thomas-street, Provision Merchant; and John Carey, James's-street, Provision Merchant.	15 Oct. 1832	6 Oct. 1832.
Thomas Charles, 18, Ross-lane.	- - William Cummins, Great Ship-street, Silversmith; Henry Charles, Stephen's-street; and Francis Rice, Meath-street, Baker.	16 Apr. 1833	2 Apr. 1833.
Maurice Nowlan, 46, Nassau-street.	- - Laurence Finn, Bishop-street, Brewer; Joseph D. Mullen, Francis-street, Merchant; and Richard Finn, South Great George's-street, Vintner.	27 Apr. 1833	22 Apr. 1833.
Patrick Walsh, Crampton-court.	- - John Mills, Middle Gardner-street, Notary Public; Thomas Murphy, of the Coombe, Pawnbroker; and Samuel Smith, of Henry-street, Pawnbroker.	3 June 1833	- - No oath lodged.
Francis Byrne, Great Britain-street.	- - Robert Scarlet, 11, Denmark-street; Alexander Speer Kerr, Rutland-square, Esq.; and Rodolphus Burke, Francis-street, Auctioneer.	22 Oct. 1833	18 Oct. 1833.
John Pearson, Denzille-street.	- - Ambrose M'Garry, 1, Errin-street; John Barlow, Denzille-street; and John Fox, Denzille-street.	14 Apr. 1834	20 Mar. 1834.
Thomas Smullen, 159, Church-street.	- - Joseph Denis Mullen, Francis-street; Christopher M'Auley, Temple Bar; and Thomas Murphy, of the Coombe.	14 Apr. 1834	17 Mar. 1834.
Patrick Fennell, 16, Denzille-street.	- - Michael Nowlan, Nassau-street, Pawnbroker; Laurence Redmond, Aebby-street, Pawnbroker; and Terrence Fennell, Merrion Avenue.	8 Dec. 1834	4 Dec. 1834.
Michael M'Garry, 3, Merrion-row.	- - Thomas White, 37, Cook-street; James Leickman, 3, Bow-street; and Bernard M'Garry, of Palmerstown.	12 Apr. 1836	24 Mar. 1836.
Thomas M'Donnell, 18, Ross-lane.	- - James Finn, Bishop-street, Brewer; William Cummins, Ship-street, Silversmith; and William Frederick Bentley, of Charlemont-street.	9 Apr. 1836	31 Mar. 1836.

RETURNS from the Clerks of the Peace, City of *Dublin*—continued.

NAMES AND RESIDENCES.	NAMES, RESIDENCES AND OCCUPATIONS OF SURETIES.	DATES OF BONDS.	OATH LODGED.
James O'Gorman, 1, Mary's-lane.	- - John M'Kenna, Townsend-street, Provision Merchant; James Brady, Beresford-street, Silversmith; and William F. Bentley, Charlemont-street, Gentleman.	22 June 1836	No oath.
Samuel Dunne, 45, Mary-street.	- - Peter Dunne, Mary-street, Coachmaker; John Donnelly, Bride-street, Ironmonger; & James Mulholland, Horseman's-row, Factor.	10 Oct. 1836	10 Oct. 1836.
John M'Garry, New-row, West.	- - James Gorman, Mary's-lane, Pawnbroker; William F. Bentley, of Charlemont-street; & Thomas Coffey, Shaw-street, Coppersmith.	5 Nov. 1836	24 Oct. 1836.
Thomas Murphy, Exchequer-street.	- - Patrick Murray, North Brunswick-street, Brewer; James Coffey, North King's-street, Salesmaster; and Mathew Mooney, of Queen's-street, Salesmaster.	25 Mar. 1837	25 Mar. 1837.
John Mullen, Winetavern-street.	- - Patrick Gillespie, South Great George's-street; William Crowe, Winetavern-street; and William Fitzpatrick, North King-street.	20 Apr. 1837	18 Apr. 1837.
James Barnier, Great Longford-street.	- - Joseph Barnier, Anglesea-street; Benjamin J. Holebrook, Aungier-street; and Samuel Eades, of Clontarf.	20 June 1837	15 Apr. 1837.
William Dunne, Phœnix-street.	- - William Ham, Queen-street, Timber-merchant; Joseph Bovey, Arran Quay, Seed-merchant; & James Simons, Pembroke Quay, Pawnbroker.	6 July 1837	No oath.
Patrick Walsh, Thomas-street.	- - Peter Byrne, Wellington-buildings; James Greene, Castle-street; and James Hanlon, Temple-lane.	25 July 1837	30 June 1837.
James Summons, 29, Queen-street.	- - Henry Egglisa, Ellis's Quay, Gent.; Adam Mahood, Upper Bridge-street, Apothecary; and John Lee, Harcourt-place, Gentleman.	11 Nov. 1837	20 Oct. 1837.
Nathaniel Halbert, 2, Corn-market.	- - John Verschayle, Camden-street, Parchment-manufacturer; Peter Downey, New-street, Timber-merchant; and James Lundy, New-street, Grocer.	14 Nov. 1837	7 Nov. 1837.

Archer & Long, Town Clerks,
City of Dublin.

RETURNS from TREASURERS of COUNTIES.

RETURNS of the Names and Residences of all PAWNBROKERS who have lodged BONDS in the Offices of Treasurers of Counties; and the Names, Residences and Occupations of the Securities named in such Bonds, with the Dates of such Bonds; and also of the Names and Residences of all Appraisers, Valuators or Auctioneers who have lodged Bonds in their Offices, stating the Names, Residences and Occupations of their Sureties, and the Date of Bonds, pursuant to Act 26 Geo. 3, c. 43, s. 14.

COUNTY OF ANTRIM.

PAWNBROKERS.

NO.	NAMES OF PAWNBROKERS.	NAMES OF SURETIES.	RESIDENCES.	OCCUPATIONS OF SURETIES.	DATES OF BONDS.
1	James Bayley -	James Graffin - -	Belfast - - -	- - - -	21 Oct. 1823.
		James Mitchell -	ditto - - -	- - - -	- ditto.
		Robert Gibson -	ditto - - -	- - - -	- ditto.
2	Michael Loughran	Edward Gibben -	ditto - - -	- - - -	25 Oct. 1823.
		Felix Loughran -	ditto - - -	- - - -	- ditto.
		Bernard Loughran -	ditto - - -	- - - -	- ditto.
3	James Bogan -	Martin Hughes -	ditto - - -	- - - -	11 Dec. 1823.
		Owen Bogan - -	ditto - - -	- - - -	- ditto.
		James Magill - -	ditto - - -	- - - -	- ditto.

COUNTY of ANTRIM:—RETURNS from Treasurers of Counties—*continued.*

NO.	NAMES OF PAWNBROKERS.	NAMES OF SURETIES.	RESIDENCES.	OCCUPATIONS OF SURETIES.	DATES OF BONDS.
	PAWNBROKERS—*continued.*				
4	William Gilbert	William Hamilton	Belfast	-	23 August 1824.
		Francis Gilmore	ditto	-	ditto.
		Thomas Turney	ditto	-	ditto.
5	John Johnston	Arthur Devlin	ditto	-	19 May 1825.
		Thomas Bailey	ditto	-	ditto.
		Edward Cummins	ditto	-	ditto.
6	Eleanor Moorcroft	Hugh Moorcroft	ditto	-	6 July 1825.
		David Gillespie	ditto	-	ditto.
		Samuel Armour	ditto	-	ditto.
7	John Birnie	- - - -	Straid, parish of Ballynure.	-	9 February 1828.
		Samuel Logan	Straidnahannah, West Division of Carrickfergus.	Farmer	ditto.
		Alexander Birnie	Straid, parish of Ballynure.	ditto	ditto.
		William Stewart	ditto	ditto	ditto.
8	George Todd	Philip Pointon	Belfast	Delf & China-merch^{t}	3 October 1831.
		George Cinnamond	ditto	Spirit-merchant	ditto.
		Michael Bracegirdle	ditto	ditto	ditto.
9	John M^{c}Cully	Arthur Devlin	ditto	Broker & Appraiser	10 Sept. 1832.
		Edward Cummins	ditto	Clerk & Spirit-dealer	ditto.
		John Coulter	ditto	Accountant	ditto.
10	Benjamin A. Davison	- - - -	Durhamsland, parish of Donegore.	-	12 Sept. 1835.
		Arthur Reid	Old Park, parish of Shankhill, otherwise Belfast.	Farmer	ditto.
		John Moore	Templepatrick	Surgeon	ditto.
		William Fulton	Standing-stone, Holestone.	Farmer	ditto.
11	Samuel Pelan	John Gillen	Lisburn	Merchant	9 Dec. 1835.
		Halliday Nelson	ditto	Innkeeper	ditto.
		George Megany	ditto	ditto	ditto.
12	Jacob Bannister	Humphry Boyd	ditto	Merchant	3 May 1837.
		Thomas Gillespie	ditto	Woollendraper	ditto.
		John Gillen	ditto	Merchant	ditto.

N. B.—The Bonds lodged by the first six numbers had been delivered by the late Treasurer to the Town Clerk of Belfast, and this Return made, as relates to them, from a receipt left for them, which did not mention the occupation of the Sureties.

Alexander Miller, Treasurer.

APPRAISERS, &c.

NO.	NAMES OF APPRAISERS AND AUCTIONEERS.	NAMES OF THEIR SURETIES.	RESIDENCES.	OCCUPATIONS OF SURETIES.	DATES OF BONDS.
1	John Devlin	Robert Russell	Belfast	Watchmaker	20 June 1826.
		John Kane	ditto	Publican	ditto.
		Michael Loughran	ditto	Pawnbroker	ditto.
2	John Byrne	James Anderson	ditto	Auctioneer & Valuator	4 August 1829.
		William Small	ditto	Merchant	ditto.
		William Anderson	ditto	Cloth-dealer	ditto.

9 February 1838.

Alexander Miller, Treasurer, County Antrim.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF ARMAGH.

PAWNBROKERS.		SECURITIES.		
Names.	Dates and Residences.	Names.	Residences.	Occupations.
John Gallagher -	Armagh, 7 January 1820	James Bennett -	Armagh - -	Merchant.
		John Jones - -	Armagh - -	Auctioneer.
		John Young -	Armagh - -	Stationer.
David Whitley -	Armagh, 21 February 1833	John Jones - -	Armagh - -	Auctioneer.
		Robert M'Clean -	Drumbee - -	Farmer.
		Samuel Hinchey -	Tyrearly - -	Farmer.
Margaret M'Culla	Armagh, 23 February 1824	Hugh M'Clean -	Derrycuhan -	Farmer.
		James Starr - -	Armagh - -	Pawnbroker.
		Nathaniel Simpson	Cavanagrove -	Gentleman.
Margaret Robinson	Armagh, 13 July - 1824	Robert Caldwell -	Armagh - -	Innkeeper.
		Simon Reilly -	Drummond -	Farmer.
		John Jones - -	Armagh - -	Auctioneer.
Alexander Gibson	Armagh, 24 May - 1826	William Dobbin -	Ternascobe -	Farmer.
		Samuel Hinchey -	Tyrearly - -	Farmer.
		Joseph Morrow -	Creeverow -	Farmer.
Robert Hazelton	Lurgan, 17 April - 1828	Matthew Wells -	Lurgan - -	Watchmaker.
		John Cullen -	Armagh - -	Watchmaker.
		Robert Trail -	Lurgan - -	Woollendraper.
James Turkington, jun.	Lurgan, 6 March - 1830	James Turkington, sen. - -	Annalorst - -	Farmer.
		William Johnston -	Lurgan - -	Merchant.
		Dunlop Moore -	Lurgan - -	Saddler.
Francis Gray -	Markethill, 17 November 1831	Robert Gray -	Markethill -	Innkeeper.
		John Acheson -	Killycarne -	Farmer.
		John Mulligan -	Ednakennedy -	Farmer.
Matthew Wells -	Lurgan, 29 October 1833	John Cullen -	Armagh - -	Watchmaker.
		George Macartney	Armagh - -	Dentist.
		Philip Keenan -	Armagh - -	Innkeeper.
Robert Robinson -	Tanderagee, 10 September 1834	Patrick Corvan -	Armagh - -	Grocer.
		George Macartney	Armagh - -	Watchmaker.
		John Jones - -	Armagh - -	Auctioneer.
Alexander Still -	Newtownhamilton, 14 October 1835	John O'Neill -	Newtownhamilton	Farmer.
		John Mulligan -	Armagh - -	Publican.
		William Campbell -	Ballybrawly -	Auctioneer.
Margaret Lindsay	Charlemont, 12 April - 1836	Thomas Farnan -	Armagh - -	Innkeeper.
		Thomas Healy -	Armagh - -	Dealer.
		Francis Magill -	Armagh - -	Architect.
Alexander Starr -	Armagh, 7 April - 1837	James Bennett, sen.	Armagh - -	Merchant.
		John Conry - -	Armagh - -	Grocer.
		Robert Caldwell -	Armagh - -	Grocer.
Margaret Starr -	Armagh, 13 June - 1837	John Conry - -	Armagh - -	Grocer.
		James Bennett, jun.	Armagh - -	Tanner.
		Charles Keys -	Armagh - -	Baker.

14 February 1838. *Acheson St. George*, Treasurer.

COUNTY OF CARLOW.

Sir, Carlow, 30 January 1838.

I BEG to acknowledge the receipt of your letter of the 29th instant, and to acquaint you, for the information of his Excellency the Lord Lieutenant, that there have been no Bonds of Pawnbrokers, Appraisers, Valuators or Auctioneers ever lodged in my office.

I have, &c.

T. Drummond, Esq.
&c. &c. &c.
Dublin Castle.

J. H. Whelan,
Treasurer, County Carlow.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF CAVAN.

Dates of Bonds.	Names of Pawnbrokers.	Residences.	Names of Securities.	Residences and Occupations.
6 Nov. - 1832	Wm. M'Fadden	Cootehill -	James Jameson -	- - Fortview near Cootehill, Gentleman.
			Samuel M'Fadden	Cootehill, Farmer.
			Thomas Jebb -	Cootehill, Shopkeeper.
5 Nov. - 1833	John Brady -	Cavan - -	William Johnston -	Cavan, Printer.
			James Moore -	Ballymacroo, Gent.
			John Brady - -	Drumkeen, Schoolmaster.
17 May - 1836	Charles Maguire	Belturbet -	Pat. Delacy - -	Kilsub, Farmers.
			Hugh Maguire -	
			James Maguire -	Cavan, Publican.
21 Feb. - 1837	Samuel Fisher -	Cootehill -	Benjamin Little -	- - All of Cootehill, Gentlemen.
			James Woods -	
			Patrick Tully -	
4 March 1837	James White -	Cootehill -	William Clarke -	Cootehill, Innkeeper.
			Samuel M'Fadden	Cootehill, Farmer.
			William Stewart -	Cootehill, M. D.

N. B.—No Bonds of Appraisers, Valuators or Auctioneers lodged in this office, under the said Act or any other Act.

Cavan, 2 February 1838.

W. Erskine,
Treasurer, County Cavan.

COUNTY OF CLARE.

PAWNBROKERS'		SECURITIES'			Dates of Bonds.
Names.	Residences.	Names.	Residences.	Occupations.	
Mort. Shannon	Tulla -	Solomon Frost -	Ellen-st. Limerick	Coach Proprietor	12 January 1835.
		Robert Frost -	Broad-st. Limerick	Linendraper -	
		Maurice Scanlon	Ellen-st. Limerick	Architect - -	
John Doyle -	Killaloe -	Wm. St. Laurence	Limerick - -	Hatter - -	25 June 1835.
		Michael Kelly -	Limerick - -	Pawnbroker -	
		James M'Namara	Limerick - -	Merchant -	
Michael Byrne	Clare -	John Patterson -	Clare - -	Householder -	12 October 1836.
		Henry Grant -	Ennis - -	Householder -	
		John Finucane -	Ennis - -	- Serjeant, Clare Militia Staff -	

Charles Mahon,
Treasurer, County Clare.

APPRAISERS', VALUATORS' OR AUCTIONEERS'		SURETIES'			Dates of Bonds.
Names.	Residences.	Names.	Residences.	Occupations.	
None.	—	—	—	—	—

Charles Mahon,
Treasurer, County Clare.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF CORK.

Dates of Bonds.	Names of Pawnbrokers.	Residences of Pawnbrokers.	Names of Securities.	Residences of Securities.	Occupations of Securities.
15 July - 1819	Mary Roberts -	Mallow - -	Thomas Garrant -	Mallow - -	Gentleman.
			Mary Mason -	Mallow - -	Shopkeeper.
			Thomas Roberts -	Mallow - -	Gentleman.
27 Dec. - 1819	John M'Donald	Dunmanaway -	Michael Crowly -	Dunmanaway -	Farmer.
			Robert Bridges -	Dunmanaway -	Gauger.
			Corn. Collins -	Dunmanaway -	Publican.
23 Oct. - 1822	William Bennett	Clonakilty -	George Harris -	Bandon - -	Shopkeeper.
			Thomas Bennett -	Bandon - -	Pawnbroker.
			James Connell -	Bandon - -	Publican.
24 Dec. - 1822	William Denny -	Mallow - -	Homan Haynes -	Mallow - -	Gentleman.
			Isaac Jones - -	Ballymagooly -	Farmer.
			Charles Haynes -	Mallow - -	Gentleman.
29 Jan. - 1823	Fred. Bourke -	Mallow - -	John Quaire -	Mallow - -	Gentleman.
			Kingsmill Brady -	Mallow - -	Gentleman.
			Richard Barrett -	Mallow - -	Gentleman.
13 Aug. - 1823	J. W. H. Haines	Mallow - -	Maurice Connell -	Mallow - -	Shopkeeper.
			John Lynch - -	Mallow - -	Gentleman.
			John Quaine -	Mallow - -	Tanner.
12 Jan. - 1824	Andrew & William Waugh - -	Clonakilty -	William Phipps' -	Clonakilty - -	Shopkeeper.
			Joseph Morgan -	Cork - - -	Leather-merchant.
			John Lyons - -	Cork - - -	Merchant.
30 March 1824	Ellen O'Neil -	Fermoy - -	John Barrett -	Youghal - -	Auctioneer.
			Daniel Sullivan -	Cork - - -	Coal-merchant.
			John Prendergast -	Youghal - -	Coal-merchant.
6 April 1824	George Harris -	Bandon - -	George Harris, jun.	Bandon - -	Clothier.
			Robert Fuller -	Bandon - -	Clothier.
			Joseph Fuller -	Bandon - -	Farmer.
23 April 1824	Rowland & William Long	Cove - -	Thomas Long -	Cork - - -	Chandler.
			Thomas Jameson -	Cork - - -	Gentleman.
			Edward Long -	Cork - - -	Gentleman.
			Robert Grimwith -	Cork - - -	Gentleman.
30 May - 1824	John M'Carthy -	Skibbereen -	James W. Daniel -	Cork - - -	Gentleman.
			Thomas Busteed -	Cork - - -	Gentleman.
			William Rumney -	Cork - - -	Gentleman.
			Thomas Shearman	Kanturk - -	Gentleman.
13 Feb. - 1826	Arthur Sheppard	Kanturk - -	John Homan -	Clonribbon - -	Gentleman.
			John Harding -	Kanturk - -	Gentleman.
			Michael Barry -	Fermoy - -	Gentleman.
16 June - 1826	David Shanahan	Fermoy - -	Michael Shanahan	Fermoy - -	Gentleman.
			William Shanahan	Fermoy - -	Shopkeeper.
			John Buckley -	Mitchelstown -	Gentleman.
20 Oct. - 1826	John M'Craith -	Mitchelstown -	William Johnson -	Cork - - -	Gentleman.
			Richard Touhy -	Cork - - -	Tanner.
			Robert Fetherstone	Kilmaceans - -	Farmer.
30 Oct. - 1826	George Sandham	Charleville -	John Mann - -	Kilmaceans - -	Gentleman.
			John Barry - -	Buttevant - -	Gentleman.
			T. Smallman, sen. -	Buttevant - -	Gentleman.
2 Dec. - 1826	T. Smallman, jun.	Buttevant -	Nicholas Low -	Gurraneard - -	Gentleman.
			James Low - -	Gurraneard - -	Gentleman.
			Michael Ryan -	Fermoy - -	Publican.
1 Jan. - 1827	Catherine Walsh	Fermoy - -	James Riordan -	Fermoy - -	Shopkeeper.
			Michael Colberts -	Fermoy - -	Gauger.
29 Jan. - 1828	Margaret Magrath	Mitchelstown -	William O'Regan -	Cork - - -	Painter.
			John Buckley -	Mitchelstown -	Shopkeeper.
			John Norris - -	Cork - - -	Shopkeeper.
18 Feb. - 1828	W. B. Williams -	Mallow - -	Homan Haynes -	Mallow - -	Gentleman.
			Edward Callaghan	Mallow - -	Shopkeeper.
			Stephen Williams -	Mallow - -	Dyer.
23 May - 1828	Edward Slattery	Mallow - -	John Quaine -	Mallow - -	Shopkeeper.
			John Ahern - -	Mallow - -	Shopkeeper.
			Kingsme Brady -	Mallow - -	Shopkeeper.
4 Oct. - 1828	M. O'Connell -	Mallow - -	Hercules Jones -	Mallow - -	Shopkeeper.
			George Downing -	Mallow - -	Shopkeeper.
			Piere Mansfield -	Mallow - -	Gentleman.
12 Jan. - 1829	Richard Rawleigh	Charleville -	John Ebril - -	Limerick - -	Skin & Feather-merchant.
			Edmund Ryal -	Limerick - -	Skin & Feather-merchant.
			John Lacy - -	Limerick - -	Hardware-merchant.
25 March 1829	W. Fitzgibbon -	Buttevant -	Mathew Geran -	Cork - - -	Gentleman.
			James Dennison -	Cork - - -	Tobacconist.
			James Cremin -	Cork - - -	Wine-merchant.

COUNTY of CORK :—RETURNS from Treasurers of Counties—*continued.*

Dates of Bonds.	Names of Pawnbrokers.	Residences of Pawnbrokers.	Names of Securities.	Residences of Securities.	Occupations of Securities.
1 Oct. - 1829	John Wiseman -	Macroom -	William Leddy -	Macroom - -	Tailor.
			Adam Harris -	Cork - - -	Shopkeeper.
2 April - 1830	W. E. Roger & Emanuel Helen	Nelson Place, Cork -	John Hammet -	Cork - - -	Coachmaker
			Joseph Helen -	Cork - - -	Shopkeeper.
			Robert Helen -	Cork - - -	Shopkeeper.
2 April - 1830	William Jannin -	Bantry - -	William Allen -	Cork - - -	Gentleman.
			Thomas Ross -	Cork - - -	Baker.
			James Sheehy -	Cork - - -	Publican.
6 April - 1830	John O'Keeffe -	Skibbereen -	Richard Donovan	Cork - - -	Shopkeeper.
			John Mahony -	Cork - - -	Builder.
			John O'Neil -	Cork - - -	Builder.
23 Oct. - 1830	Dennis Downing	Fermoy - -	James Riordan -	Fermoy - -	Shopkeeper.
			John Carroll -	Fermoy - -	Shopkeeper.
			John Sisk - -	Castle Hyde -	Farmer.
28 May - 1831	Catherine Walsh	Mitchelstown -	Robert Baylor -	Fermoy - -	Shopkeeper.
			Thomas Garland -	Fermoy - -	Gentleman.
			Michael Mariga -	Fermoy - -	Writing Clerk.
15 July - 1831	John Drew -	Cove - -	John Lyons - -	Cove - - -	Gentleman.
			James Cahill -	Cove - - -	Shopkeeper.
			W. Moore Drew -	Cove - - -	Gentleman.
20 Aug. - 1832	Edward Long -	Cove - -	Thomas Long -	Cove - - -	Gentleman.
			Rowland Long -	Cork - - -	Chandler.
			George Thornton -	Cork - - -	Shopkeeper.
15 Nov. - 1832	James Ryan -	Buttevant -	John Robertson -	Cork - - -	Cabinet-maker.
			John Anderson -	Cork - - -	Hatter.
			Edward Harrington	Cork - - -	Tailor.
6 April 1833	William Waugh	Cove - -	Thomas Long -	Cork - - -	Gentleman.
			Edward Long -	Cork - - -	Shopkeeper.
			William Phipps -	Cork - - -	Shoemaker.
8 Oct. - 1833	Thomas Bennett & Daniel Sullivan	Clonakilty -	Wilham Holland -	Cork - - -	Shopkeeper.
			Robert Halton -	Cork - - -	Shopkeeper.
			John Halton -	Cork - - -	Shopkeeper.
26 Nov. - 1833	Dorah Kingston	Bandon - -	James Dawson -	Bandon - -	Tanner.
			William Dawson -	Cork - - -	Woollendraper.
			William C. Sullivan	Bandon - -	Tanner.
	1835	Andrew Waugh & Richard Waugh	Clonakilty -	William Phipps -	Cork - - -	Cordwainer.
			Andrew Waugh -	Cork - - -	Victualler.
			Edward Long -	Cove - - -	Pawnbroker.
24 Sept. 1836	James Donoughue	Ross Carbery -	Bryen Gallway -	Cork - - -	Writing Clerk.
			Michael Donovan -	Cork - - -	Writing Clerk.
			Andrew M'Carty -	Cork - - -	Gentleman.
30 Aug. - 1837	John Abbot -	Skibbereen -	George Harris -	Bandon - -	Shopkeeper.
			Daniel Sullivan -	Clonakilty - -	Shopkeeper.
			James Ryan -	Cork - - -	Shopkeeper.
26 Sept. 1837	Mary Ann Long	Cove - -	Andrew Waugh -	Cork - - -	Victualler.
			John Waugh -	Cork - - -	Victualler.
			Andrew Waugh -	Clonakilty - -	Pawnbroker.

One only AUCTIONEER and APPRAISER has lodged Bonds with the Treasurer of the County of *Cork.*

Date of Bonds.	Name of the Auctioneer.	Residence of Auctioneer.	Names of Securities.	Residences of Securities.	Occupations of Securities.
31 Oct. - 1825	William Peyton	Bandon - -	Thomas Bennett -	Bandon - -	Gentleman.
			Joseph Bennett -	Bandon - -	Gentleman.
			William Moriarty -	Bandon - -	Gentleman.

24 February 1838.

James Delawar,
Treasurer, County Cork.

COUNTY OF DONEGAL.

None found.

2 February 1838.

Francis Mansfield,
Treasurer, County Donegal.

RETURNS from Treasurers of Counties—*continued*.

COUNTY OF DOWN.

Names of Pawnbrokers.	Residences.	Names of Securities.	Residences.	Occupations.	Dates of Bonds.
Thomas Hampton	Downpatrick	John Hampton	Bleary	Farmer	19 May - 1823
		James Hampton	Clare	Farmer	
		George Hampton	Anaghanoon	Farmer	
Thomas Miscamble	Newtownards	John Miscamble	Newtownards	Woollendraper	28 Sept. - 1824
		James Miscamble	Ballymacarret	Grocer	
		John Spence	Hollywood	Publican	
Samuel Bradberry	Banbridge	James Phenix	Maze	Farmer	8 January 1827
		George Bradberry	Maze	Farmer	
		William Briggs	Maze	Gentleman	
Gardner Miscamble	Donaghadee	Thomas Miscamble	Newtownards	Pawnbroker	13 Nov. - 1827
		John Robinson	Hollywoodhills	Farmer	
		John M'Allister	Newtownards	Innkeeper	
Henry Best	Dromore	Hu. Battersby	Dromore	Baker	31 Dec. - 1828
		Hu. Mathers	Dromore	Innkeeper	
		George Ross	Dromore	Innkeeper	
John Robinson	Downpatrick	James Robinson	Ballykeel	Farmer	27 April - 1829
		Thomas Miscamble	Newtownards	Pawnbroker	
		Hu. Rea	Killeen	Farmer	
James Ross	Donaghadee	Francis M'Clelland	Belfast	Gentleman	26 October 1829
		James Magill	Belfast	Gentleman	
		Thomas Yelton	Belfast	Gentleman	
David Patton	Dromore	John Killips	Ballydavey	Farmer	1 Dec. - 1831
		Thomas Miscamble	Newtownards	Pawnbroker	
		Thomas Patton	Ballygrot	Farmer	
James Savage	Rathfryland	Henry Turnly	Newry	Merchant	6 Feb. - 1832
		John Savage	Lurgancanty	Gentleman	
		James Savage	Newry	Master-mariner	
Alex. M'Connell	Newtownards	John M'Connell	Ballyrainey	Farmer	13 April - 1832
		John Gunning	Ballyrainey	Farmer	
		Alexander M'Night	Crawfordsburn	Farmer	
Henry Kelly	Banbridge	Abigail Sorby	Lisburn	Grocer	5 October 1832
		John Sorby	Lisburn	Cabinet-maker	
		Henry Kelly	Lisburn	Shuttle-maker	
William Johnston	Warrenpoint	Alexander Canning	Newry	Merchant	18 October 1832
		Alexander Postly	Newry	Rope-manufacturer	
		Thomas King	Newry	Merchant	
Henry M'Namara	Downpatrick	George Hampton	Clare	Farmer	30 March 1833
		William M'Cune	Downpatrick	Gentleman	
		John M'Kee	Downpatrick	Farmer	
James Y. Young	Downpatrick	James Young	Granshaw	Farmer	16 April - 1833
		Alexander Young	Granshaw	Farmer	
		John Young	Granshaw	Farmer	
Alexander Miller	Bangor	Joseph Miller	Conlig	Gentleman	4 June - 1833
		William Whitla	Ballyvernon	Gentleman	
		Joseph Miller	Bangor	Gentleman	
Hugh Seeds	Dromore	William Mussen	Ballymullan	Farmer	18 Sept. - 1833
		Richard Mussen	Ballymullan	Farmer	
		Arthur Mussen	Ballymullan	Farmer	
John Ferguson	Donaghadee	Nathaniel Magee	Donaghadee	Farmer	9 October 1834
		James Ross	Donaghadee	Pawnbroker	
		Alexander Biers	Donaghadee	Farmer	
Dowling & O'Neill	Banbridge	William Russell	Capagh	Linen-merchant	24 Nov. - 1834
		A. M'Aravey	Banbridge	Cabinet-maker	
		William M'Niece	Ballykeel	Gentleman	
John Jacobson	Ballymacarret	William Shields	Belfast	Tailor	8 June - 1835
		William Jacobson	Belfast	Gentleman	
		Hustings Duprey	Belfast	Coachmaker	
William M'Clelland	Banbridge	James Sprott	Banbridge	Tallow-chandler	31 Dec. - 1835
		Robert Hamilton	Banbridge	Merchant	
		Robert M'Clelland	Banbridge	Merchant	
George Hampton	Dromore	John Hampton	Bleary	Farmer	29 March 1836
		John Whaley	Anaghanoon	Farmer	
		Henry M'Namara	Downpatrick	Pawnbroker	
James M'Roberts	Rathfryland	James Hutton	Newry	Pawnbroker	16 June - 1837
		Richard Harcourt	Newry	Pawnbroker	
		David Todd	Newry	Merchant	

There are not any Bonds lodged in the Treasurer's Office from Appraisers, Valuators or Auctioneers, pursuant to the 31st section of the 26th Geo. 3, c. 43.

3 February 1838. *J. G. Waddell*, Treasurer of County Down.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF DUBLIN.

Sir, Office, 4, North Frederick-street, 30 January 1838.

IN reply to your letter of the 29th instant, transmitting to me (by the command of the Lord Lieutenant) a copy of an Order of the House of Commons, dated 22d instant, signifying his Excellency's desire that I should forthwith furnish you with Returns in duplicate of the Names and Residences of all Pawnbrokers who have lodged Bonds in my office, with the Names, Residences and Occupations of the Sureties named in such Bonds, with the Dates of such Bonds, pursuant to the Act passed in the Parliament of Ireland in the 26th Geo. 3, c. 43, s. 14; and of the Names and Residences of all Appraisers, Valuators or Auctioneers who have lodged Bonds in my office, stating the Names, Residences and Occupations of their Sureties, and the Date of Bonds, pursuant to the 31st section of said Act:

I beg leave to state, that there have not been any such Bonds as above-mentioned lodged in my office.

I have, &c.
Arthur Baker.

To T. Drummond, Esq. &c. &c. &c.
Dublin Castle.

COUNTY OF FERMANAGH.

IN answer to the Order of the House of Commons, of the 22d January 1838, I have to state, that there have not been any Bonds lodged in my office by Pawnbrokers, Appraisers, Valuators or Auctioneers.

Enniskillen, 2 February 1838.

William Hassard,
Treasurer, County Fermanagh.

COUNTY OF GALWAY.

Names of Pawnbrokers.	Residences of Pawnbrokers.	Names, Residences and Occupations of Securities.		Dates of Bonds.
Honora Shannon -	Town of Gort, in the County of Galway	James Burns, of Ennis, County of Clare -	Gentleman	6 Dec. 1833.
		Charles O'Connell, of Ennis, County of Clare -	ditto -	6 Dec. 1833.
		Thomas Hynes, of Ennis, County of Clare - -	Merchant	6 Dec. 1833.
John Mangan -	Of Tuam, in the County of Galway	John Loughan, of Bohesmore, Town of Galway	Innkeeper	16 Feb. 1835.
		Thomas Gilmore, of Mainguard-street, Town of Galway - - -	Grocer -	16 Feb. 1835.
		Thomas Sweeney, of Cross-street, Town of Galway	Shopkeeper	16 Feb. 1835.
Peter Moclare -	Of Ballinasloe, in the County of Galway	John Costello, of the Town of Galway - - -	ditto -	15 Dec. 1835.
		William Walsh, of the Town of Galway -	ditto -	15 Dec. 1835.
		Michael Walsh, of the Town of Galway -	ditto -	15 Dec. 1835.
Michael Lyons & James Lyons.	Of Ballinasloe, in the County of Galway -	John Lyons, of Attymore, County of Galway -	Farmer -	28 Mar. 1835.
		John Costello, of Dominick-street, Town of Galway - - -	Shopkeeper	28 Mar. 1835.
		John Tierney, of William-street, Town of Galway	ditto -	28 Mar. 1835.
Edward Roe -	Of Ballinasloe, in the County of Galway	Timothy Murray, of Abbey-gate-street, Town of Galway - - -	Merchant	16 Mar. 1836.
		Patrick Hughes, of Quay-street, Town of Galway	ditto -	16 Mar. 1836.
		William Kenny, of Ballinasloe, County of Galway - - - -	Shopkeeper	16 Mar. 1836.

There have not been any Bonds lodged for Appraisers, Valuators or Auctioneers in the Treasurer's Office.

John O'Hara,
Treasurer, County Galway.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF KERRY.

Names and Residences of Pawnbrokers.	Names and Residences and Occupations of Securities.	Dates of Bonds.
	PAWNBROKERS.	
Alexander Tidmarsh, of Killarney.	- - Francis Tidmarsh, of Ballymullen, near Tralee, gentleman; Edward Hickson and John Hickson, both of Tralee, shopkeepers.	18 October 1827.
Arthur O'Leary, of Killarney.	- - Thomas O'Leary, of Tralee, cloth-merchant; Philip O'Leary, of Castle-island, M. D.; and Denis O'Leary, Ahadoe, near Killarney, farmer.	23 May - 1831.
William C. Hartnett, Listowell.	- - Michael M'Enerny, of Newcastle, county Limerick, silk-mercer; John Dowlin, of Newcastle, county Limerick, cloth-merchant; John R. Phayer, of Newcastle, county Limerick, apothecary.	19 July - 1831.
	APPRAISERS, VALUATORS OR AUCTIONEERS.	
	None.	

2 February 1838.

Peter Thompson,
Treasurer, County Kerry.

COUNTY OF KILDARE.

Pawnbrokers.	Sureties.		Dates of Bonds.
Christopher Baily, of Athy - - - -	- - Colclough Greene, of Athy, gentleman; William Kelly, of Athy, gentleman; Michael Wall, of Athy, shopkeeper - - - - - -	In £.100 each	5 April - 1831
John Rooney, of Athy	- - Patrick Rooney, of Harristown, in the Queen's County, farmer; Michael Rooney, of Harristown, in the Queen's County, farmer; Peter Rooney, of Harristown, in the Queen's County, farmer - - - - -	In £.100 each	16 January 1835.
Ephraim Farrell, of Nans - - - -	- - Anthony Willis, of Upper Ormond Quay, Dublin, silversmith; John Kerr, of Summerhill Parade, Dublin, gentleman; John Dickinson, of South Great George's-street, Dublin, goldbeater - - - - - - -	In £.100 each	25 May - 1836.

The above are the only Bonds of any description that have been lodged in my Office.

8 February 1838.

Rob. Rawson,
Treasurer, County Kildare.

COUNTY OF KILKENNY.

County Treasurer's Office, Kilkenny,
15 February 1838.

Sir,

I DULY received your letter dated the 29th ultimo, enclosing a copy of an Order of the House of Commons, requiring certain Returns to be furnished by me; in reply, I beg to say that no Bonds or Securities of Pawnbrokers or Appraisers have been lodged with me since I came into office; I beg also to state that I have no documents of my predecessors to enable me to furnish the Returns called for.

I have, &c.

T. Drummond, Esq. &c. &c. &c.

Redmond Reade, Treasurer.

RETURNS from Treasurers of Counties—*continued.*

KING'S COUNTY.

Names and Residences of Pawnbrokers.	Names of Securities.	Residences of Securities.	Occupations of Securities.	Dates of Bonds.
Henry Whitesides, Tullamore	William Pilkington	Clymore, County Galway.	Esquire	27 April 1824.
	William Whitesides	Clymore, County Galway.	Gentleman	
	Samuel Mahon	Tyrrellspass, County Westmeath.	Gentleman	
Margaret Denison, Birr	John Murphy	Birr	Shopkeeper	10 Oct. 1825.
	Edward Denison	Birr	Shopkeeper	
	Edward Harte	Birr	Tanner	
Michael Maddan, Birr	William Maddan	Birr	Shopkeeper	12 June 1826.
	John Cavanagh	Birr	Woolcomber	
	Martin Maddan	Boolinarig	Farmer	
Edward Denison, Birr	William Burke	Birr	Gentleman	2 March 1830.
	Patrick Davin	Whiteford	Gentleman	
	Denton Hemsworth	Birr	Appraiser	
Elias Malone, Birr	Thomas Carroll	Banagher	Pawnbroker	27 July 1830.
	Martin Molloy	Birr	Shopkeeper	
	Peter Malone	Clennough, Tipperary.	Farmer	
Thomas Carroll, Banagher	Patrick Carroll	Birr	Shopkeeper	27 April 1830.
	Thomas Lister	Birr	Gentleman	
	Michael Maddan	Birr	Pawnbroker	
Patrick Carroll, Birr	Thomas Carroll	Banagher	Pawnbroker	8 Sept. 1831.
	Joseph Carroll	Roscrea	Wool-manufr	
	Hugh Madden	Birr	Woolcomber	
Laurence Mackey, Tullamore	Michael Cusick	Killourney	Farmer	17 Feb. 1832.
	Thomas Deehan	Banagher	Shopkeeper	
	John Wilson	Gernal	Farmer	
Henry Jones, Edenderry	John Walker	Tullamore	Publican	25 May 1833.
	James Clarke	Gallen	Collector	
	Thomas Hackett	Ballydaly	Farmer	
Patrick Carroll, Birr	Simon Treacy	Birr	Gentleman	19 Nov. 1833.
	Stephen Woods	Birr	Grocer	
	Denton Hemsworth	Birr	Appraiser	
Daniel Carroll, Tullamore	Elias Malone	Birr	Pawnbroker	6 Nov. 1835.
	Patrick Carroll	Birr	Pawnbroker	
	Michael Madden	Birr	Pawnbroker	
Edward M'Cann, Tullamore	Eyre Dunne	Tullamore	Gentleman	3 Oct. - 1836.
	Laverock Dunne	Tullamore	Doctor of Medicine.	
	Michael Egan	Tullamore	Shopkeeper	
James Carroll, Banagher	Dennis Egan	Birr	Gentleman	13 Dec. 1836.
	William Rourke	Birr	Shopkeeper	
	Denton Hemsworth	Birr	Appraiser	

19 February 1838.

J. F. Armstrong,
Treasurer, King's County.

Names and Residences of Appraisers.	Names of Securities.	Residences of Securities.	Occupations of Securities.	Dates of Bonds.
William Whitfield, Tullamore	Francis Whitfield	Curraghmore	Gentleman	31 Jan. 1828.
	Thomas Stanley	Gurteen	Farmer	
	William Whitesides	Clymore, County Galway.	Gentleman	
Denton Hemsworth, Birr	Edward Denison	Birr	Shopkeeper	9 Feb. 1828.
	Samuel Cosgriff	Birr	Cabinet-maker	
	Michael Madden	Birr	Pawnbroker	

19 February 1838.

J. F. Armstrong,
Treasurer, King's County.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF LEITRIM.

PAWNBROKERS, &c.	APPRAISERS, VALUATORS OR AUCTIONEERS, &c.
None.	None.

T. Nisbett,
Treasurer, County Leitrim.

COUNTY OF LIMERICK.

No.	Pawnbrokers' Names.	Residences.	Dates of Bonds.	Amount of Bonds.	Securities' Names.	Residences.	Occupations.
				£.			
1	Patrick Nevill	Newcastle	1834: Feb. 20	300	John Sweeny	Newcastle	Cloth-merchant.
					Hodge Sweeny	ditto	Grocer.
					William Cronin	ditto	Gentleman.
2	John Gearen	Kilfinnan	Sept. 15	300	William Oliver	Spa Hill	Esquire.
					Edward Spaight	Limerick	Shopkeeper.
					Richard Earngy	Stagdale	Esquire.
3	John Latchford & Co.	Rathkeal	Nov. 4	300	Geo. M. Goggin	Shannon View.	
					John Bunton	Limerick.	
					Geo. R. Crow	ditto.	
4	Patrick O'Donell	Askeaton	1835: Oct. 6	300	Thomas Darohar	Court Brom.	
					James Nester	ditto	Farmer.
					Michael Nash	ditto	ditto.
5	Mary Deering	Cahircarlich	1836: Jan. 4	300	John Bourke	Limerick	Confectioner.
					John Scott	ditto	Spirit Retailer.
					Mich. J. Cleary	ditto	Apothecary.
6	Ann London	Bruff	June 9	300	Mich. M'Cormack	ditto.	
					Jeremiah Mahuy	Bruff	Shopkeeper.
					John Macqueen	Lemonfield	ditto.
7	Bridget Gill	Rathkeal	August 3	300	John Crilly	Limerick	Ship-chandler.
					John Bunton	ditto	Pawnbroker.
					William Roche	Rathkeal	Shopkeeper.
8	Grace Smith	Adare	1837: April 29	300	John Myles	Limerick	Corn-merchant.
					Thomas Parker	ditto	Wool-dealer.
					Mich. M'Coy	ditto	Grocer.
9	John Ferguson & Co.	Tipperary	July 6	300	John Unthank	ditto	Woollendraper.
					George Ferguson	Rathkeal	Linendraper.
					John Costelloe	ditto	Woollendraper.
10	Mary Nevill	Newcastle	1838: Jan. 13	300	John Dowling	Newcastle	Solicitor.
					Hodge Sweeny	ditto	Shopkeeper.
					John Sweeny	ditto	ditto.

Auctioneers and Appraisers - - - - No Bonds lodged by those persons.

Poole Gabbett,
Treasurer, County Limerick.

COUNTY OF LONDONDERRY.

No Bonds have been lodged by any Pawnbroker in the office of the Treasurer of City and County of Londonderry; nor has any Appraiser, Valuator or Auctioneer lodged any Bond in his office up to present period.

Dated this 2d February 1838.

Hugh Lyle,
Treasurer in the City and County of Londonderry.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF LONGFORD.

PAWNBROKER:

	£.	s.	d.
James Moore, Granard, Shopkeeper; Bond dated 3d May 1836, for - -	276	18	5

SECURITIES:

Francis West, - Bailiboro, - County Cavan, Shopkeeper, 3d May 1836 - -	92	6	2
Joshua Wanhob, Drumecarro, County Cavan, Farmer, - ditto - - -	92	6	2
Edward Moore, Monaghanoon, County Cavan, Farmer, - 2d May 1836 - -	92	6	2

No Bonds have been lodged for Auctioneers, &c. &c.

2 February 1838. *John Robinson*, Treasurer.

COUNTY OF LOUTH.

— None. —

Dundalk, 22 February 1838. *John Straton*, Treasurer, County Louth.

COUNTY OF MAYO.

Sir, Orallinark, 5 April 1838.

I HAVE had the honour of receiving your letter of yesterday's date; and, in reply, beg to observe that, from the United Service Club in Dublin, I did reply to your communication of the 29th January, stating that I was not aware of any Pawnbrokers in the county of Mayo; and, since, I have searched the records in my charge, and cannot find any notice or clue to their being any.

I have, &c.
A. C. Lambert,
Treasurer of Mayo.

T. Drummond, Esq.
Castle, Dublin.

COUNTY OF MEATH.

Name of Pawnbroker.	Names of Sureties.	Residences.	Occupations.	Dates of Bonds.
Philip Finegan -	- - - - -	Navan, County Meath	Gentleman -	7th April 1834.
	Bernard Finegan -	Town of Drogheda	Gentleman -	- ditto.
	Laurence Finegan	Town of Drogheda	Gentleman -	- ditto.
	Richard Archbold -	Capel-street, City Dublin.	Attorney-at-law	- ditto.

Examined by
W. O'Reilly, Treasurer.

COUNTY OF MONAGHAN.

Names and Residences of Pawnbrokers who have lodged Bonds in this Office.	Names, Residences and Occupations of the Securities named in such Bonds.	Dates of such Bonds.	Observations.
Patrick Farrell, of the town of Castleblayney, Pawnbroker.	- - John M'Clelland, of Gregg, County Monaghan, Farmer; James Molloy, of Savagh, said county, Farmer; and Michael Farrell, of Cloghan, in said county, Farmer.	17 May 1836	- - There has not been any Bond lodged in this office by any Appraiser, Valuator or Auctioneer.
John Eager, of Clones, in the county of Monaghan, Pawnbroker.	- - Henry Jebb, of the town of Monaghan, Innkeeper; Andrew Goodwin, of same, Gentleman; and James M'Eudoo, of same, Innkeeper.	20 Sept. 1837.	

Treasurer's Office, County Monaghan, 1 February 1838. *Tho. Montgomery*, Treasurer.

RETURNS from Treasurers of Counties—*continued*.

QUEEN'S COUNTY.

Names of Pawnbrokers, with Dates of their Bonds.	Residences.	Names of their Sureties and their Occupations.	Dates of Sureties' Bonds.
Benjamin Baker, August 14 - 1829.	Mountmelick	Patrick Dunne, of Mountmelick, Cotton-manufacturer.	14 Aug. 1829.
		Thomas Lane, of Mountmelick, High Constable.	14 Aug. 1829.
		William Corcoran, of Ballincollinbeg, Farmer and Mason.	30 Oct. 1832.
James Fitzgerald, October 30 - 1832.	Mountmelick -	John Broomfield, of Mountmelick, Gent.	10 Oct. 1833.
		Henry Gilbourne, of Ballylusk, Farmer.	1 Oct. 1833.
		Thomas Cleary, of Mountmelick, Coach Agent.	1 Oct. 1833.
William Baker, October 17 - 1832.	Mountmelick -	Robert Metcalf, of Mountmelick, Slater and Plasterer.	17 Oct. 1832.
		Richard Dempsey, of Mountmelick, Cotton-manufacturer.	17 Oct. 1832.
		George Morton, of Mountmelick, Shopkeeper.	17 Oct. 1832.
Hugh Baily, February 20 - 1835.	Maryborough -	Richard Baily, of Mountmelick, saddler.	23 Feb. 1835.
		Thomas Moyles, of Carron, Farmer.	20 Feb. 1835.
		George Moyles, of Carron, Farmer.	20 Feb. 1835.
William Treacy, jun. June 8 - 1829.	Mountrath -	Charles Pim, of Mountrath, Gentleman.	8 June 1829.
		James Dempsy, of Mountrath, Shopkeeper.	8 June 1829.
		John Cunningham, of Derrough, Esq.	8 June 1829.
APPRAISER and AUCTIONEER.			
James Morrin, December 17, 1834	Mountmelick -	Stephen Corcoran, of Mountmelick, Shopkeeper.	17 Dec. 1834.
		John Delany, of Mountmelick, Shopkeeper.	17 Dec. 1834.
		William Corcoran, of Strahard, Builder.	17 Dec. 1834.

N. B.—All the above residences are in the Queen's County.

30 January 1838. *Wm Kemmis*, Treasurer, Queen's County.

COUNTY OF ROSCOMMON.

PAWNBROKER.

Maria Murphy, of Boyle, in the Parish of Boyle, in the County of Roscommon, Spinster:—Bond dated 13 July 1835.

SURETIES.

Anne Murphy, of Boyle, in the Parish of Boyle, in the County of Roscommon, Spinster:—Bond dated 13 July 1835.

Matthew Hart, of Boyle, in the Parish of Boyle, in the County of Roscommon, Householder:—Bond dated 13 July 1835.

Arthur Trend, Treasurer, County Roscommon.

PAWNBROKER.

Matthew Hart, of Boyle, in the Parish of Boyle, and County of Roscommon, Householder:—Bond dated 13 July 1835.

SURETIES.

James M'Dermotroe, of Cartron, in the Parish of Ardcarna, County of Roscommon.
Anne Murphy, of Boyle, in the Parish of Boyle, County of Roscommon, Spinster.
Maria Murphy, of Boyle, in the Parish of Boyle, County of Roscommon, Spinster.
} Bonds dated 13 July 1835.

Arthur Trend, Treasurer, County Roscommon.

COUNTY OF SLIGO.

—None.—

3 February 1838. *Geo. Dodwell*, Treasurer of the County of Sligo.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF TIPPERARY.

PAWNBROKERS' Names and Residences.	SURETIES' Names.	Occupations.	Residences.	Dates of Bonds.
Henry Harding, of Carrick-on-Suir.	William Allen John Butler Edward Slattery	Auctioneer Leather-cutter Publican	Carrick Clonmel Clonmel	27 July 1827.
William Harding, of Nenagh.	Robert Harding Martin Ryan Richard Savage	Statuary Gentleman Gentleman	Nenagh Garrymore Nenagh	28 Jan. 1830.
William Henebry, of Nenagh.	George Fitzpatrick Alexander Chalmers John Cunningham	Farmer Gentleman Farmer	Nenagh Richmond Tyrone	4 April 1830.
William Consedine, jun., of Nenagh.	James Consedine Andrew Murphy William Consedine, sen.	Gentleman Shopkeeper Farmer	Nenagh Nenagh Nenagh	10 May 1830.
Patrick Carroll, of Cashel.	Michael Madden Thomas Carroll Peter Malone	Pawnbroker Pawnbroker Farmer	Birr Banagher Roscrea	7 Sept. 1830.
Joseph Carroll, of Roscrea.	Michael Madden Elias Malone Patrick Carroll	Pawnbroker Pawnbroker Pawnbroker	Birr Birr Cashel	30 March 1831.
Michael Hickey, of Nenagh,	Michael Shaw Patrick Hickey Thomas Healy	Miller Shopkeeper Farmer	Nenagh Nenagh Nenagh	7 May 1832.
Denis Fitzgerald, of Carrick-on-Suir.	John Hayden John Hearn William Allen	Dealer Publican Auctioneer	Carrick Carrick Carrick	19 June 1832.
Matthew Shanahan, of Carrick-on-Suir.	John Shanahan Michael Butler Thomas M'Keogh	Pawnbroker Teacher Pawnbroker	Clonmel Clonmel Waterford	22 March 1834.
James Spring, of Burrisakane.	James Spring, sen. David Miller Henry Durban	Clerk Distiller Gentleman	Cloghjordan Cloghjordan Cloghjordan	15 July 1834.
Patrick Magrath, of Nenagh.	Thomas Dawson Matthew Conlan Daniel Magrath	Esquire Pawnbroker Hardware merchant.	Limerick Limerick Tipperary	17 June 1834.
James Phelan, of Roscrea.	Thomas Mockham John Hart Michael Treacy	Shopkeeper Shopkeeper Shopkeeper	Roscrea Roscrea Roscrea	29 April 1835.
John O'Brien, of Templemore.	John H. Harding Thomas H. Harding Charles F. Harding	Esquire Esquire Esquire	Summerhill Summerhill Summerhill	19 June 1837.
Hugh Bird, of Thurles.	Thomas Prendergast. George Grace Samuel Smyth	Shopkeeper Shopkeeper Shopkeeper	Clonmel Thurles Thurles	12 Aug. 1837.
Margaret Ardagh, of Thurles.	Arthur Mathews Andrew Ardagh Edward Ardagh	Bootmaker Bridewell-keeper Shopkeeper	Thurles Thurles Thurles	26 Aug. 1837.
John Abbott, of Roscrea.	John Broderick Michael Marnall Thomas Splint	Shopkeeper Gentleman Farmer	Roscrea Roscrea Roscrea	11 Oct. 1837.
AUCTIONEER.				
Thomas Molloy, of Roscrea.	William Heenan Thomas Hendy	Mason Farmer	Roscrea Behaglass	3 June 1829.

There was not any Bond lodged in the County Treasurer's Office prior to those dated in 1827.

January 31, 1838.

Ambrose Lane,
County Treasurer of Tipperary.

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF TYRONE.

Names.	Residences.	Occupations.	Names of Sureties.	Residences of Securities.	Occupations.	Dates of Bonds.
George Spencer	Moy, County of Tyrone.	Shopkeeper	William Orr	Ballymagerny, County of Armagh.	Gentleman	31 May 1836.
			Joseph Orr	Cranagill, County of Armagh.	ditto	ditto.
			Robert Williamson	Tullymore, County of Armagh.	ditto	ditto.
Samuel Hethrington.	Aughnacloy, of Tyrone.	Farmer	Henry Hethrington	Aughnacloy	Innkeeper and Baker.	22 Sept. 1836.
			John Corbitt	Glencrew	Farmer	ditto.
			John M'Kenna	Moy, County of Monaghan.	ditto	ditto.

Appraisers, Valuators or Auctioneers - - - - - - None.

January 31, 1838. *A. G. Stuart*, Treasurer, County of Tyrone.

COUNTY OF WATERFORD.

Dates.	Names.	Residences.	Sureties.	Residences.	Occupations.
14 March 1818	Patrick Ronayne	Dungarvan	Robert Power	Clashmore	Esquire.
			Tobias Fitzpatrick	Ballymacarbara	Esquire.
			Dominick Ronayne	Ringville	Esquire.
7 April 1818	Ellen O'Neill	Dungarvan	Joseph O'Neill	Dungarvan	Gentleman.
			Patrick O'Brien	Dungarvan	Carpenter.
			Edmond Walsh	Dungarvan	Shopkeeper.
4 March 1824	Joseph O'Neill	Dungarvan	Andrew Roche	Dungarvan	Gentleman.
			Mrs. Ellen O'Neill	Dungarvan	Widow.
			Mr. W. Carberry	Dungarvan	Gentleman.
25 May - 1825	Cornelius Coleman	Tallow	Cornelius Broderick	Youghal	Shopkeeper.
			John Taylor	Youghal	Cooper.
			James Coffey	Youghal	Brogue-maker.
15 April 1828	James Gillispie	Tallow	George Banes Heasly, Esq.	Youghal	Gentleman.
			Nicholas Greene	Youghal	Junior.
			John Barrett	Youghal	Auctioneer.
31 March 1829	Edward Patterson	Dungarvan	Patrick Hynes	City of Waterford.	
			Richard Phealan	City of Waterford	Shopkeeper.
			M. I. Phealan	City of Waterford	Merchant.
3 Feb. - 1830	Catherine Walsh	Dungarvan	James Sweeney	Dungarvan	Baker.
			Laurence Conolly	Dungarvan	Shopkeeper.
			William Lee	Dungarvan	Shopkeeper.
17 Oct. - 1832	John Slattery	Lismore	Timothy O'Brien	Dungarvan	Gentleman.
			John Curreen	Dungarvan	Gentleman.
			John Atkins	Dungarvan	Gentleman.
18 April 1833	Patrick Higgins	Tallow	William Long	Tallow	Farmer.
			Matthew Blackbun	Tallow	Gentleman.
			John Long	Tallow	Gentleman.
4 Nov. - 1836	Patrick Higgins	Cappoguin	William Long	Tallow	Farmer.
			James Delany	Tallow	Shopkeeper.
			John Long	Tallow	Apothecary.

No Appraisers, Valuators or Auctioneers have lodged Bonds with me.

Edw. Roberts, Treasurer.

COUNTY OF WESTMEATH.

Pawnbroker.	Residence.	Securities.	Residences and Occupations.	Dates of Bonds.
Joseph Finegan, of Dyer-street, in the County of the Town of Drogheda.	Mullingar	Mr. Hugh Dickson	Clonmelon, Coroner of the County	12 Nov. 1835
		Mr. Bernard Finegan	Drogheda, Pawnbroker	25 Nov. 1835
		Mr. Lr. Finegan	Drogheda, Merchant	25 Nov. 1835

Cuthbert Fetherston, H., Treasurer of the County of Westmeath

RETURNS from Treasurers of Counties—*continued.*

COUNTY OF WEXFORD.

Names and Residences of Pawnbrokers.	Names and Occupations of Securities.		Dates of Bonds.
Catherine Quinn, Town of Wexford	James Waddick	Hatter	14 Dec. 1831.
	George Furlong	Woollen-draper	- ditto.
	Richard Sinnott	Grocer	- ditto.
	John Waddick	Hatter	12 Dec. 1832.
Nicholas Tennant, Town of Wexford	James Auglin	Printer	29 October 1832.
	John Devereux	Baker	- ditto.
	Richard Gainfort	Sadler	- ditto
John Waddick, Town of Wexford	John Mulroney	Boot and Shoe-maker	13 June 1835.
	Richard Sinnott	Grocer	12 June 1835.
	Michael Walsh	Shopkeeper	- ditto.

All of the Securities above mentioned are of the Town of Wexford.

There have been no Bonds lodged in my office, either by Appraisers, Valuators or Auctioneers.

1 February 1838. *John Harvey*, Treasurer of the County Wexford.

COUNTY OF WICKLOW.

Seapark, 2d February 1838.

Sir,—I BEG leave to inform you, that on making search in my office, as Treasurer of the County of Wicklow, I cannot find out that any Pawnbrokers, Appraisers, Valuators or Auctioneers have lodged Bonds to enable me to make out the Return as directed by Order of the House of Commons, bearing date the 22d ultimo.

I have, &c.,
John Revill, Treasurer of the County Wicklow.

RETURNS from TOWN CLERKS of CITIES and TOWNS.

A RETURN of the Names and Residences of all PAWNBROKERS who have lodged Bonds in the Offices of Town Clerks of Cities and Towns, with the Names, Residences and Occupations of the Sureties named in such Bonds, and the Dates of such Bonds; and of the Names and Residences of all Appraisers, Valuators or Auctioneers, who have lodged Bonds in said Offices, with the Names, Residences and Occupations of their Sureties, and the Date of Bonds, pursuant to 26 Geo. 3, c. 43.

COUNTY OF THE TOWN OF CARRICKFERGUS.

PAWNBROKERS AND THEIR SURETIES.

Names and Residences of Pawnbrokers.	Dates of Pawnbrokers' Bonds.	Names, Residences and Occupations of Sureties.	Dates of Bonds of Sureties.	Observations.
William Drummond, of the Town and County of the Town of Carrickfergus, gentleman	20 Nov. 1818	John Lock, of Ballyvalaugh, Parish of Raloo, and County of Antrim, farmer	20 Nov. 1818	William Drummond, Pawnbroker, dead.
		Samuel Drummond, of Toreagh, Parish of Raloo, County Antrim, farmer	20 Nov. 1818	
		William Moore, of Parish of Raloo, County Antrim, farmer	20 Nov. 1818	
William Henderon, of Governor's-place, in the Town and County of the Town of Carrickfergus, gentleman	1824	Robert Henderon, of the Town of Carrickfergus, cotton-spinner	1824	
		Samuel Nelson, of the Town of Carrickfergus, woollen-draper	1824	
		William Cunan, of Carrickfergus, in the County of the Town of Carrickfergus, land-surveyor	1824	
Hugh Stewart, of Cheston-street, in the Town and County of the Town of Carrickfergus, gentleman	1829	Felix Stewart, of the Town of Carrickfergus, spirit-dealer	30 Jan. 1830	Hugh Stewart, Pawnbroker, dead.
		William Johnston, of the Middle Division of Carrickfergus, farmer	30 Jan. 1830	
		Thomas Armstrong, of the Town of Carrickfergus, grocer	30 Jan. 1830	

RETURN from Town Clerks of Cities and Towns:—COUNTY of the TOWN of CARRICKFERGUS—*continued.*

Names and Residences of Pawnbrokers.	Dates of Pawnbrokers' Bonds.	Names, Residences and Occupations of Sureties.	Dates of Bonds of Sureties.	Observations.
Eliza Reid, otherwise Fulton, of Carrickfergus, in the County of the Town of Carrickfergus, Widow -	15 Sept. 1834	- - John Moore, of Carrickfergus, in the County of the Town of Carrickfergus, Merchant.	15 Sept. 1834	
		- - James Picken, of Carrickfergus, in the County of the Town of Carrickfergus, Grocer.	15 Sept. 1834	
		- - William Poague, of Carrickfergus, in the County of the Town of Carrickfergus, Mariner.	15 Sept. 1834	
Thomas Johnston, of the West Division, in the County of the Town of Carrickfergus, Farmer - -	20 Sept. 1834	- - James Stannus, sen., of Carrickfergus, in the County of the Town of Carrickfergus, Mariner.	20 Sept. 1834	
		- - William Larmour, of Carrickfergus, in the County of the Town of Carrickfergus, Gentleman.	20 Sept. 1834	
		- - James Stannus, jun. of Carrickfergus, in the County of the Town of Carrickfergus, Architect.	1834	
		- - Samuel Hill, of the Town of Carrickfergus, Carpenter.	1 Dec. 1821	- - These bonds appear as sureties for William Reid, of Carrickfergus, a Pawnbroker; but the bond of said William Reid is not in the office of the Town Clerk. The said William Reid is dead.
		- - William Drummond, of Chestonstreet, Town of Carrickfergus, Pawnbroker.	182–	
		- - John Eccleston, of the Town of Carrickfergus, Chandler.	1 Dec. 1821	

Appraisers, Valuators and Auctioneers, and their Sureties - - - None.

Note.—The foregoing Return is made from the Documents which came to my hands from the office of Adam Cunningham, Gentleman, deceased, late Town Clerk.

Dated this 26 February 1838.

David Legg,
Town Clerk of Carrickfergus.

CITY OF CORK.

Names, Residences, and Occupations of Pawnbrokers.	Names, Residences and Occupations of Securities.	Dates of Bonds.
PAWNBROKERS:		
Bennett, Jane, Brunswick-street, Widow	Harman Ellis, Princes-street, Confectioner - -	22 June 1831.
	John Weir, Goulnaspurra, Tobacconist - - -	- ditto.
	Francis Lamb, Depôt, Gentleman - - - -	- ditto.
Bible, Henry, Pope's-quay, Gentleman -	William Harding, City of Cork, Pawnbroker - -	19 Nov. 1832.
	Charles Sheppard - ditto - Leather-seller - -	- ditto.
	Charles Wilson - - ditto - Pawnbroker - -	- ditto.
Connell, Christopher Aldworth, Globe-lane, Gentleman -	Minton Connell, Castle-street, Shop-keeper - -	21 June 1822.
	John Connell, Francis-street, Gentleman - - -	- ditto.
	Thomas Hardum, North Main-street, Hatter - -	21 Sept. 1837.
Crone, John, Mallow-lane, Gentleman -	John Cleary, Barrack-street, Gentleman - - -	29 Sept. 1825.
	Thomas Higgins, Mallow lane ditto - - -	- ditto.
	Cornelius Sullivan - ditto - Pawnbroker - -	22 Sept. 1837.
Cocker, Thomas, City of Cork, Gentleman	Richard Parks, City of Cork, Gentleman - - -	29 Oct. 1825.
	John Bennett - ditto - Merchant - - -	- ditto.
	Humphry Haynes, ditto - Apothecary - - -	- ditto.
Chillingworth, Richard Davis, City of Cork, Gentleman - -	John Baley Hamett, Marlborough-street, Coach-factor	31 July 1828.
	William Hunter, Nicholas-street, Gentleman - -	9 June 1831.
	Thomas Murray, Old Market-place ditto - -	19 Sept. 1837.
Curtin, Mary and Honora, Mallow-lane, Spinsters - -	Timothy Curtin, Cork-street, Doctor of Medicine -	13 Dec. 1830.
	Bryan Egan, Church-street, Vintner - - - -	20 Sept. 1837.
	Thomas Reidy, Upper Glanmire-road, Gentleman -	- ditto.
Casey, Michael, Mallow-lane, Gentleman	Edmond Kennedy, Blarney-lane, Master-baker - -	16 Sept. 1837.
	Richard Carey, Shandon-street, Spirit-dealer - -	- ditto.
	Thomas Cave, Brown-street, Hatter - - - -	- ditto.
Chillingworth, William Boyle, St. Finn-barrs, Gentleman - -	Thomas Murray, Old Market-place, Gentleman - -	19 Sept. 1837.
	- - Henry Davis Chillingworth, Old Gaol-road, Cabinet-maker.	- ditto.
	- - David Thomas Hare, St. Finn-barrs, Doctor of Medicine.	- ditto.

CITY of CORK:—RETURNS from Town Clerks of Cities and Towns—*continued.*

Names, Residences and Occupations of Pawnbrokers.	Names, Residences and Occupations of Securities.	Dates of Bonds.
PAWNBROKERS—*continued.*		
Davidson, Clear, Tuckey-street, Shoemaker	John Davidson, Tuckey-street, Shoemaker	13 Jan. 1825.
	Ward M'Donald, Batchelor's Quay, Gentleman	- ditto.
	James Craig, Blackpool, Cork	- ditto.
Devett, John, Paul-street, Gentleman	Edmond Slattery, Mallow-lane, Feather & Skin Buyer	6 Mar. 1834.
	James Hynes, Patrick-street, Fruiterer	- ditto.
	John Russell, Cork-street, Master Tailor	- ditto.
Donovan, Teresa, Blarney-lane, Widow	Thomas Lego, George's-street, Gentleman	16 Sept. 1837
	John O'Regun, Patrick's Quay, ditto	- ditto.
	Arthur Hackett, Duncan-street, Spirit-merchant	- ditto.
Divett, George & Stephen, City of Cork, Gentlemen	Thomas Cunningham, Market-street, Publican	19 Sept. 1837.
	Edward Fitzgerald, Market-street, Grocer	- ditto.
	James Murphy, Clarence-street, Grocer	- ditto.
Field, Margaret, Blarney-lane, Spinster	William Field, Cattle-market Victualler	23 Jan. 1828.
	Stephen Field, Blarney-lane, Tanner	- ditto.
	John Ledwith, City of Cork, ditto	- ditto.
Gillespie, James, Caroline-street, Gentleman	Charles Sheppard, Shandon-street, Gentleman	23 Aug. 1831.
	William Harding, North Main-street, ditto	- ditto.
	Charles Sheppard, jun. Shandon-street, Leather-seller	20 Sept. 1837.
Hosford, Mary, City of Cork, Spinster	John Good, City of Cork, House Carpenter	2 Nov. 1805.
	William Bellingham Swan, Mary-street, Gentleman	21 Sept. 1837.
	John Haynes, George's-street - - - ditto	- ditto.
Helen, Joseph, Cross-street, Gentleman	Emanuel Trenwith, North Main-street, Linendraper	10 Nov. 1813.
	George Thornton - ditto - - Chandler	18 Sept. 1837.
	William Hunter, Leitrim-street, Gentleman	- ditto.
Harding, William, City of Cork, Cutler	William Wilson, City of Cork - ditto	8 Sept. 1819.
	Charles Sheppard, Shandon-street, Leather-seller	18 Sept. 1837.
	John Dixon, North Main-street, Brush & Bellows-maker	- ditto.
Hare, Eliza, Saint Finn Barrs, Widow	John Toomy, Great George's-street, Ironmonger	9 June 1831.
	Robert Uren, Barrack-street, Chandler	- ditto.
	John M'Auliffe, Merchant's Quay, Shipbroker	- ditto.
Hegarty, Daniel, Brown-street, Gentleman	Miles M'Swiney, Clarence-street, Coal Factor	3 Sept. 1833.
	James Murphy - - ditto - Grocer	- ditto.
	Timothy Turmey, Blarney-lane, Seedsman	- ditto.
Hicks, William, Sunday's Well, Gentleman	George Leairs, North Main-street, Writing Clerk	13 Sept. 1833.
	James Leairs - - ditto - - Hatter	- ditto.
	Charles James Hicks, City of Cork, Gentleman	16 Sept. 1837.
Hunter, William, Leitrim-street, Gentleman	Robert M'Donald, Western Road - ditto	1 July 1834.
	Joseph Helen, Douglas-street, Pawnbroker	- ditto.
	David Hunter, Nile-street, Gentleman	19 Sept. 1837.
Hewitt, John, Douglas-street, Gentleman	William Francis Power, Cotter's Quay, Vintner	20 Nov. 1834.
	James Berry Adams, Clarence-street, Merchant	- ditto.
	Edmund William Ryan, Abbey-street, Builder	- ditto.
Howard, Anne, Blarney-lane, Spinster	Luke Howard, Leitrim-street, Hide and Skin Inspector	19 Sept. 1837,
	Edward Howard, Sunday's Well, Gentleman	- ditto.
	William Howard, Marlborough-street, Cabinet-maker	- ditto.
Jameson, Frances, Mallow-lane, Widow	Richard Long, North Main-street, Publican	4 June 1831.
	George Thornton - ditto - - Chandler	- ditto.
	Rowland Long, Mullow-lane - ditto	- ditto.
Keily, Cecilia, Douglas-street, Widow	William Flynn, George's-street, Vintner	1 Nov. 1836.
	Patrick Haggin, Mullow-lane - ditto	- ditto.
	Felix Daly, Pembroke-street, Gentleman	- ditto.
Long, Rowland & William, City of Cork, Chandlers	Thomas Long, Shandon-street, Chandler	27 Jan. 1829.
	George Thornton, North Main-street, ditto	- ditto.
	Richard Long - - ditto - - Publican	4 June 1831.
Long, William, Shandon-street, Chandler	Thomas Long, Drawbridge-street, Gentleman	2 May 1836.
	George Thornton, North Main-street, Chandler	- ditto.
	Denham Franklin, South Mall, Attorney-at-law	- ditto.
Lynch, John, Barrack-street, Gentleman	Denis Murphy, Lancaster Quay, Woollendraper	20 Sept. 1837.
	John Cahill, Myrtle-hill-terrace - ditto	- ditto.
	Roger Cleary, Saint Finn Barrs, Wine and Spirit Dealer	- ditto.
Mahony, Eugene, Robert-street, Gentleman	James Cogan, Barrack-street, Chandler	18 June 1821.
	Patrick Rogers, South Main-street, Woollendraper	- ditto.
	James Cremen, George's-street, Gentleman	ditto.
M'Carthy, John, City of Cork, Gentleman	James M'Daniel, City of Cork - ditto	6 April 1825.
	Edward Downes - ditto - - ditto	- ditto.
	William Rumney - ditto - - ditto	- ditto.

CITY of CORK :—RETURNS from Town Clerks of Cities and Towns—*continued.*

Names, Residences and Occupations of Pawnbrokers.	Names, Residences and Occupations of Securities.	Dates of Bonds.
PAWNBROKERS—*continued.*		
Meade, John, jun., Mallow-lane, Master Cooper	John Meade, sen., Mallow-lane, Iron-merchant	12 Nov. 1834.
	Edward Fitzmaurice, Mannix's-square, Publican	ditto.
	Robert M'Donald, Western-road, Gentleman	ditto.
Miller, Anne, Cove-street, Widow	William M'Carthy, Tuckey-street, Carver and Gilder	19 Sept. 1837.
	Samuel Miller, Cove-street, Glass-cutter	ditto.
	James Leairs, North Main-street, Hatter	ditto.
O'Donovan, John, City of Cork, Pawnbroker	Eugene M'Carthy, City of Cork, Shopkeeper	12 Oct. 1837.
	John Lyons - - - ditto - Merchant	ditto.
	Denis Austen M'Carthy, ditto - Gentleman	ditto.
Ring, Joseph, City of Cork, Gentleman	Patrick Dounes, Blackpool, Gentleman	16 April 1814.
	Edward Ring, Castle-street, Shopkeeper	ditto.
	Thomas Ring, City of Cork, Gentleman	20 Sept. 1837.
Reardon, William, Clarence-street, Master Tailor	Michael Crofts, Fishamble-lane, Shoemaker	25 April 1836.
	Denis Denahy - ditto - - ditto	ditto.
	Patrick O'Mullane, Fishmarket-lane, Vintner	ditto.
Swan, William Bellingham, City of Cork, Gentleman	Bellingham Swan, City of Cork, Gentleman	8 May - 1827.
	John Haynes, George's-street - ditto	21 Sept. 1837.
	John Thornhill, Barrack-street - ditto	ditto.
Sullivan, Cornelius, Mallow-lane, Master Cooper	John M'Leod, George's-street, Boot-maker	29 Nov. 1828.
	Michael Sullivan, Patrick-street, Grocer	ditto.
	John Sullivan, Daunt's-square, Linendraper	ditto.
Sheehan, Bernard, Dominick-street, Cooper	Cornelius Sullivan, Mallow-lane, Cooper	14 Feb. - 1829.
	George Toole, Dominick-street - ditto	ditto.
	John Daly, Fair-lane - - - - ditto	ditto.
Sheppard, Charles, Pope's Quay, Leather-seller	Minton Connell, South Main-street, Boot & Shoemaker	8 Dec. 1830.
	William Harding, Broad-lane, Pawnbroker	ditto.
	John Graham Love, Paul-street, Gentleman	19 Sept. 1837.
Scott, Edward, Pope's Quay, Gentleman	John Lambert, Merchant's Quay, Iron-merchant	16 Nov. 1833.
	John Wright - - ditto - - Hotel-keeper	ditto.
	William Lambert, Fish-street, Iron-merchant	ditto.
Sexton, John, George's street, Gentleman	William Marsh, South Mall, Auctioneer	20 Nov. 1837.
	Jeremiah Cronin, Bridge-street, Vintner	ditto.
	Michael Sexton, George's-street, ditto	ditto.
Thornton, George, City of Cork, Chandler	Robert Stevens, Sunday's Well-lane, Gentleman	18 June 1822.
	John Weir, Blarney-lane, Tobacconist	ditto.
	Rowland Long, Mallow-lane, Chandler	4 June 1831.
Trenwith, Robert and William, Clarence-street	John Bailey Hamett, Marlborough-street, Coachmaker	15 June 1831.
	Michael Gould, South Main-street, Master Cooper	19 Sept. 1837.
	Henry Chillingworth, Old Gaol-road, Cabinet-maker	ditto.
Trenwith, William Henry, City of Cork, Gentleman	Richard Wright Trenwith, City of Cork, Baker	4 July 1836.
	Michael Gould - - - - ditto - Cooper	ditto.
	Eugene Shine - - - - ditto - Merchant	ditto.
Wilson, William, York-street, Gentleman	Charles Wilson, North Main-street, Gentleman	21 Oct. 1836.
	William Harding - ditto - - Cutler	ditto.
	Mary Wilson, Blackpool, Widow	ditto.
Walsh, Ellen, Barrack-street, Widow	James Morrissey, Barrack-street, Spirit-merchant	4 June 1831.
	James M'Auliffe, Blarney-lane, Publican	ditto.
	Christopher Downing, Barrack-street, Grocer	ditto.
Wilson, Sarah, Blackpool, Widow	Minton Connell, South Main-street, Shopkeeper	19 Sept. 1837.
	Samuel Dixon, North Main-street, Grocer	ditto.
	John Unkles, South Mall, Lithographic Printer	ditto.
APPRAISERS, VALUATORS or AUCTIONEERS.		
Evans, Roger Bernard, Willow Hill, Gentleman	Thomas Baldwin, Oak-grove, County Cork, Gentleman	14 Dec. 1822
	Robert Henry Nettles, Blackrock, Cork - ditto	ditto.
	John Baldwin, Summer Hill - - - - - ditto	ditto.
Unacke, James, Great George's-street, Gentleman	Jeremiah Sullivan, Barrack-street, Vintner	15 Oct. 1825.
	Michael Gould, South Main-street, ditto	ditto.
	William Swan, Bishop-street, Gentleman	ditto.

Town Clerk's Office, 14 February 1838.

Julius Cesar Besnard,
Town Clerk.

RETURNS from Town Clerks of Cities and Towns—*continued.*

CITY OF DUBLIN.

Names and Residences.	Names, Residences and Occupations of Sureties.	Dates of Auctioneers' Bonds.	Dates of Sureties' Bonds.
Rodolphus Burke, City of Dublin, Auctioneer.	- - Richard Keightley, of Merrion-row, City of Dublin, Stationer; George Carroll, No. 13, King-street, City of Dublin, Attorney-at-law, and William Wildridge, of Jervis-street, City of Dublin, Attorney-at-law.	4 July - 1822	4 July - 1822.
William Henry Finlay, of Jervis-street, City of Dublin, Sword-bearer of the Corporation of said City.	- - Michael Edward Ham, of Parliament-street in said City, Gentleman; Joseph William Evans, of Dorset-street, and Thomas Smullen, of Lucan, both in the County of Dublin, Gentlemen.	- - Joint Bond of Principal and Sureties, 10 March 1831.	
John Judkin Butler, of Upper Gardiner-street, in the County of Dublin, Marshal of the Corporation.	- - Henry Peil, sen., of Talbot-street, Merchant; George Halahan, of Stephen's-green, Apothecary, and Anthony Browne, of Rathmorris, Gentleman.	- - Joint Bond of Principal and Sureties, 23 January 1834.	

Austin & Long,
Town Clerks, City of Dublin.

COUNTY OF THE TOWN OF DROGHEDA.

Pawnbrokers' Names.	Residences.	Securities' Names.	Residences.	Occupations.	Dates of Bonds.	Observations.
William Hughes -	St. James's-street	John Wall -	Drogheda - -	Ropemaker -	31 Dec. 1795	- - Pawnbroker, and his Sureties John Hall, Matthew Flanagan and Patrick Carney, are dead many years.
		Matthew Flanagan	- ditto - -	Linen Manufacturer	- ditto.	
		Patrick Carney -	- ditto - -	Merchant - -	- ditto.	
		Robert Martin -	- ditto - -	- ditto - -	3 Oct. 1809	- - Instead of Patrick Carney, who became insolvent, who is also dead.
		Patrick M'Kenna	- ditto - -	- ditto - -	- ditto.	
James Hunter - -	Nicholas-street, City Dublin.	Richard Wildridge	- - Stephen-st., City Dublin.	Tanner - -	1 Apr. 1796	- - The Pawnbroker, James Hunter, has not carried on business in Drogheda these many years.
		William Hunter	- - Francis-st., City Dublin.	Pawnbroker -	- ditto -	
		John Dillon -	Essex-st., City Dublin	Shoemaker -	- ditto -	
Bryan M'Kenna -	Drogheda -	Michael Farrell -	Drogheda - -	Merchant - -	26 Aug. 1809	- - No business carried on by this Pawnbroker for many years, and his Sureties, Farrell and Cunningham, are both dead.
		Pat. Cunningham	- ditto - -	- ditto - -	- ditto -	
		John Plunkett -	- ditto - -	- ditto - -	- ditto -	
Philip Finegan -	Drogheda -	George Kieran -	Drogheda - -	Merchant - -	16 Feb. 1810	This Pawnbroker is dead.
		Nicholas Lamb -	- ditto - -	Publican - -	- ditto -	This Security dead.
		Bryan Finegan -	- ditto - -	Tanner - -	- ditto.	
Joseph Montgomery -	Rock Hamilton near Newry.	Hill Irwin -	- - Water-st., Town of Newry.	Grocer - -	13 June 1829	- - This person carries on the business of a Pawnbroker.
		Richard Coulter	Camoneen, Co. Down	Bleacher - -	- ditto.	
		James Ladlie -	Town of Newry -	Pawnbroker -	- ditto.	
Bernard Finegan -	Drogheda -	Joseph Finegan -	Drogheda - -	Gentleman -	16 Apr. 1831	This person carries on business.
		Laurence Finegan	- ditto - -	- ditto - -	- ditto.	
		Philip Finegan -	- ditto - -	- ditto - -	- ditto.	
Alexander Carswell -	Maghernahely, County Armagh.	Samuel Carswell	- - Maghernahely, Co. Armagh.	Farmer - -	10 Mar. 1834	- - This Pawnbroker has discontinued business, and does not reside in Drogheda.
		Robert Carswell	- ditto - -	- ditto - -	- ditto.	
		John Collins -	Derrybeg, Co. Armagh	- ditto - -	- ditto.	

There is not any Bond lodged by any Appraiser, Valuator or Auctioneer.

Drogheda,
27 February 1838.

Certified by
Jos. Holmes, Town Clerk.

TOWN OF GALWAY.

Names of Pawnbrokers.	Residences of Pawnbrokers.	Names, Residences and Occupations of Securities.	Dates of Bonds.
John Nevin - -	Town of Galway -	Michael Mons, of Mainguard-street, Town of Galway, Shopkeeper - - - -	11 Jan. - 1837.
		Thomas Hughes, of Quay-street, Town of Galway, Shopkeeper - - - -	- ditto.
		Bartholomew Killiam, of William-street, Town of Galway, Shopkeeper - - -	- ditto.
Rickard Feeney -	Town of Galway -	Daniel Considine, of Shop-street, Town of Galway, Shopkeeper - - - -	17 Aug. 1836.
		Michael Cavanagh, of William-street, Town of Galway, Shopkeeper - - -	- ditto.
		Francis Holland, of William-street, Town of Galway, Shopkeeper - - - -	- ditto.
John Byrne Cassidy -	Town of Galway -	James Hogan, of Shop-street, Town of Galway, Merchant Tailor - - - -	9 June - 1837.
		Laurence Browne Burke, of Mary-street, Town of Galway, Gentleman - - -	- ditto.
		Hugh Cassidy, of Quay-street, Town of Galway, Gentleman - - - - -	- ditto.
Patrick Duggan -	Town of Galway -	Michael M'Donnell, of Abbeygate-street, Town of Galway, Gentleman - - -	11 Oct. - 1832.
		Nicholas Burke, of Abbeygate-street, Town of Galway, Gentleman - - - -	- ditto.
		John Grealy, of William-street, Town of Galway, Gentleman - - - - -	- ditto.
Edward Power -	Town of Galway -	Francis Keuny, of Abbeygate-street, Town of Galway, Gentleman - - - -	14 May - 1835.
		Patrick Devite, of Abbeygate-street, Town of Galway, Merchant Tailor - - -	- ditto.
		James M'Sweeny, of Shop-street, Town of Galway, Apothecary - - - -	- ditto.
James Higgins -	Town of Galway -	Thomas Hughes, of High-street, Town of Galway, Shopkeeper - - - -	19 Jan. - 1836.
		Patrick Devite, of Abbeygate-street, Town of Galway, Merchant Tailor - - -	- ditto.
		Nicholas Smyth, of Shop-street, Town of Galway, Gentleman - - - -	- ditto.

TOWN OF GALWAY:—RETURNS from Town Clerks of Cities and Towns—*continued.*

Names of Pawnbrokers.	Residences of Pawnbrokers.	Names, Residences, and Occupations of Securities.	Dates of Bonds.
John Murray	Town of Galway	William Coleman, of Lower Abbeygate-street, Town of Galway, Cabinet-maker	28 Aug. 1827.
		Michael Noone, of the Town of Galway, Shopkeeper	ditto.
		Timothy Murray, of Abbeygate-street, Town of Galway, Gentleman	ditto.
Margaret Burke	Town of Galway	Nicholas Burge, of Shop-street, Town of Galway, Watchmaker	14 Dec. 1835.
		Redmond Commins, of William-street, Town of Galway, Shopkeeper	ditto.
		James Coleman, of Lower Abbeygate-street, Town of Galway, Cabinet-maker	ditto.
James Walsh	Town of Galway	Timothy Murray, of Abbeygate, Town of Galway, Gentleman	28 Nov. 1827.
		James Murray, of ditto ditto ditto	ditto.
		Rickard Murray, of Bridge-street, ditto Shopkeeper	ditto.
AUCTIONEERS and APPRAISERS:			
Michael Mannion	Abbeygate-street, Town of Galway.	John Connolly, of Shop-street, Town of Galway, Merchant	18 Aug. 1824.
		John Moore, of the Town of Galway, Gentleman	ditto.
		William Coleman, of ditto ditto	ditto.
David Burke	Town of Galway	James M^c Dermott, of the Town of Galway, Gentleman	6 Feb. 1826.
		Thomas Green, of ditto ditto Miller	ditto.
		Mich^l Duggan of ditto ditto Gentleman	ditto.
Thomas O'Connell	Town of Galway	Patrick Duggan, of the Town of Galway, Shopkeeper	31 July 1835.
		Michael Kilrey, of ditto ditto Gentleman	ditto.
		John Kirwan, of ditto ditto Saddler	ditto.

John M. O'Hara,
Acting Town Clerk.

CITY OF KILKENNY.

N°.	Names of Pawnbrokers who have lodged Bonds in the Town Clerk's Office.	Residences of Pawnbrokers.	Securities named in Bonds.	Residences of Securities.	Occupations of Securities.	Date of Bonds.	Observations.
1	George Reade	Described in his Bond as late of Meath-street, in the City of Dublin	James Moore	Capel-street, City of Dublin.	Silver-plater	1807, Jan. 24	George Reade has long discontinued the business of Pawnbroker, and has not resided for the last twenty years in Kilkenny.
			Jonathan Deverell	Meath-street, City of Dublin.	Merchant	ditto	
			Francis Butler	North Ann-street, City of Dublin.	Manufacturer	ditto	
2	John Campion	City Kilkenny	John Kelly	City Kilkenny	Esquire	1814, Jan. 15	John Campion is dead some years.
			Robert Meighan	ditto	Merchant	ditto	
			William Cody	ditto	Ropemaker	ditto	
3	Anne Reynolds	ditto	Francis Comerford	ditto	Merchant	1814, Dec. 12	These two Securities are dead.
			Thomas Murphy	ditto	Brazier	ditto	
			Denis Sweetman	ditto	Shoemaker	ditto 21	
4	William Power	ditto	Charles Shearman	ditto	Merchant	1817, July 15	William Power is dead some years.
			James Power	ditto	Innholder	ditto	
			Robert Sheirclyff	Maddoxtown Mills, Co. Kilkenny.	Gentleman	ditto	
5	John Porter, jun.	ditto	John Porter, sen.	City Kilkenny	Glover	1822, July 29	John Porter, jun. is also dead.
			Ambrose Evans	ditto	Gentleman	ditto	
			Samuel Chaplin	ditto	Cabinet Maker	ditto	
6	Edward Redmond	ditto	Nicholas Shortall	ditto	Blanket Manufacturer.	1824, Oct. 20	Edward Redmond also dead.
			Thomas Hoyne	ditto	Boot and Shoemaker.	ditto	
			Murty Kavanagh	ditto	Publican	ditto	
7	Mary Nowlan	ditto	Nicholas Nowlan	Glandine Liberties, City Kilkenny.	Farmer	1824, Dec. 29	Mary Nowlan also dead.
			Ja^s Brophy Nowlan	City Kilkenny	Woollen Draper	ditto	
			Michael Nowlan	ditto	Publican	1825, Jan. 19	
8	Ambrose Fitzpatrick	ditto	Thomas Laurenson	ditto	Grocer	1825, May 17	Ambrose Fitzpatrick is also dead.
			Richard Sullivan	ditto	Brewer	ditto 21	
			James Fitz Gerald	ditto	ditto	ditto 25	
9	Thomas Dowling	ditto	Michael Sullivan	ditto	Tanner	1826, Feb. 27	Thomas Dowling has some years discontinued the business of Pawnbroker, and left Kilkenny.
			Francis Comerford	ditto	Grocer	ditto	
			Patrick Dowling	ditto	Victualler	ditto	
10	Patrick Larasy	ditto	Michael Neary	ditto	ditto	1828, Feb. 11	Patrick Larasy is dead.
			Timothy Pratt	ditto	Tailor	ditto	
			Richard Sullivan	ditto	Brewer	ditto 14	
11	Bridget Campion	ditto	William Grace	ditto	Esquire	1831, Jan. 4	William Cody, one of the Securities, is dead.
			William Cody	ditto	Tobacconist	ditto	
			Joseph Gregory	ditto	Apothecary	ditto	
12	Louis Rourke	ditto	Com^s Maxwell	ditto	Printer and Stationer.	1831, May 23	James Brenan, one of these Securities, is dead.
			Thomas Laurenson	ditto	Grocer	ditto	
			James Brenan	ditto	Woollen Draper	ditto	

THERE are only three of the above Pawnbrokers carrying on that business in the City of Kilkenny, and the Bonds which they and their Securities have entered into recite, as well the said Act of 26 Geo. 3, as that of its amendment by 28 Geo. 3, c. 49; and each Bond of said Pawnbroker is for the sum of 1,000*l.*, and the Bond of each Security is for the sum of 300*l.*, conditioned respectively for the faithful discharge of the several duties required of each such Pawnbroker, by the said Acts of Parliament.

5 February 1838.

Patrick Watters,
Town Clerk, City Kilkenny.

RETURNS from Town Clerks of Cities and Towns—*continued.*

TOWN OF KINSALE.

1. *Daniel Francis Sullivan*, of Low Fisher-street in the town of Kinsale, Pawnbroker, his Bond to the Town Clerk for £. 300 Irish currency, dated 17 July 1818.

HIS SECURITIES.

John Desmond, the elder, of Cork-street, in the town of Kinsale, Baker, his Bond to the Town Clerk for £. 100 Irish currency, dated 17 July 1818.

Michael Desmond, of the Market-lane, in the town of Kinsale, Baker, his Bond to the Town Clerk for £. 100 Irish currency, dated 17 July 1818.

Mark Donovan, of Friar-street, in the town of Kinsale, Tanner, his Bond to the Town Clerk for £. 100 Irish currency, dated 17 July 1818.

The said John Desmond, the elder having died, security in his stead was given by,

Patrick Donovan, of Cork-street, in the town of Kinsale, Currier and Leather-retailer, his Bond to the Town Clerk for £. 100 Irish currency, dated 6 May 1826.

The said Daniel Francis Sullivan discontinued the business, and lately quitted Kinsale.

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2. *Mary Williams*, of the town of Kinsale, widow, Pawnbroker, her Bond to the Town Clerk for £. 300 Irish currency, dated 18 February 1825.

HER SECURITIES.

Richard Williams, of the town of Bandon, Pawnbroker, his Bond to the Town Clerk of Kinsale for £. 100 Irish currency, dated 18 February 1825.

Joseph Bennett, of the town of Bandon, Pawnbroker, his Bond to the Town Clerk of Kinsale for £. 100 Irish currency, dated 18 February 1825.

Thomas Fuller, of the town of Bandon, Pawnbroker, his Bond to the Town Clerk of Kinsale for £. 100 Irish currency, dated 18 February 1825.

The said Mary Williams is carrying on the business in Kinsale.

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3. *George Williams*, of the town of Kinsale, Pawnbroker, his Bond to the Town Clerk for £. 276 18 *s.* 5 ½ *d.* British currency, dated 24 January 1832.

HIS SECURITIES.

Richard Williams, of the North Main-street, in the town of Bandon, Pawnbroker, his Bond to the Town Clerk of Kinsale for £. 92 6 *s.* 1 ¾ *d.* British currency, dated 24 January 1832.

Thomas Fuller, of the South Main-street, in the town of Bandon, Pawnbroker, his Bond to the Town Clerk of Kinsale for £. 92. 6 *s.* 1 ¾ *d.* British currency, dated 24 January 1832.

John Perrot, of the town of Kinsale, Ironmonger, his Bond to the Town Clerk for £. 92 6 *s.* 1 ¾ *d.* British currency, dated 24 January 1832.

The said George Williams is carrying on the business in Kinsale.

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4. *Denis Sullivan* and *John Sullivan*, both of Cork-street, in the town of Kinsale, Pawnbrokers and co-partners in the said trade, their joint Bond to the Town Clerk for £. 276. 18 *s.* 5 ½ *d.* British currency, dated 6 June 1833.

THEIR SECURITIES.

John Purcell, of the Doon, in the liberties of the town of Kinsale, Farmer, his Bond to the Town Clerk for £. 92. 6 *s.* 1 ¾ *d.* British currency, dated 6 June 1833.

Mark Donovan, of Friar-street, in the town of Kinsale, Tanner, his Bond to the Town Clerk for £. 92 6 *s.* 1 ¾ *d.* British currency, dated 6 June 1833.

Charles M'Carthy, of the Market-place, in the town of Kinsale, Woollen-draper, his Bond to the Town Clerk for £. 92 6 *s.* 1 ¾ *d.* British currency, dated 6 June 1833.]

The said Denis Sullivan and John Sullivan are carrying on the business in Kinsale.

The before-named Mary Williams, George Williams and Denis and John Sullivan, are the only individuals trading as Pawnbrokers in Kinsale.

There has been no Bond lodged in my office, by any Appraiser, Valuator or Auctioneer, nor by any Surety for such.

All which I certify, at Kinsale, this 1st day of February 1838.

George Newman,
Town Clerk.

RETURNS from Town Clerks of Cities and Towns—*continued.*

CITY OF LIMERICK.

No.	Dates of Bonds.	Amount of Bonds.	Principals' Names, Residences and Occupations.	Sureties' Names, Residences and Occupations.	Observations.
1	24 June 1791	£. 300 principal, securities £. 100 each.	-- Alexander Blood, of the City of Limerick, Gentleman.	-- Jeremiah Blood, of the City of Limerick, Cordwainer; Henry Bowles, of same place, Dyer; and Daniel Bourke, of same place, Gentleman.	
2	12 Nov. 1791	- ditto -	-- William Perry, of the City of Limerick, Gentleman.	-- James Sexton, of the City of Limerick, Esquire; Robert Inscoe, of same place, Gentleman; and Mary Sexton, of same place, Widow.	
3	26 July 1804	- ditto -	-- James Christy and William O'Hara, of the City of Limerick, Gentleman.	-- Andrew Watson, of the City of Limerick, Esquire; William Byrom, of same place, Gentleman; and John Denmeade, of same place, Gentleman.	
4	15 June 1807	- ditto -	-- Timothy Bunton, of the City of Limerick, Gentleman.	-- John Bunton, of the City of Limerick, Cordwainer; Michael Bermingham, of same place, Hatter; and William Leger, of same place, Cabinet-maker.	
5	12 Oct. 1813	- ditto -	-- Jeremiah O'Connor, of the City of Limerick, Gentleman.	-- John Joynt, of the City of Limerick, Grocer; Charles Joynt, of same place, Tallow-chandler; and Launcetol Collins, of same place, Linen Draper.	
6	18 Oct. 1813	- ditto -	-- Michael Bermingham, of the City of Limerick, Hatter.	-- William Moore, of the City of Limerick, Woollen Draper; Thomas Molony, of same place, Gentleman; and Daniel Molony, of same place, Spirit Retailer.	
7	5 Aug. 1815	- ditto -	-- John Joynt, of the City of Limerick, Gentleman.	-- John Watton, of the City of Limerick, Saddler; Timothy Carey, of same place, Chandler; and Murtagh Looney, of same, place, Tobacconist.	
8	19 July 1816	- ditto -	-- William Carey, of the City of Limerick, Architect.	-- John Purcill, of the City of Limerick, Architect; William Carey, of same place, Gentleman.	
9	28 Dec. 1816	- ditto -	-- John Conway, of the City of Limerick, Woollen Draper.	-- William Carey, of the City of Limerick, Gentleman; Thomas Browne, of same place, Gentleman; and John Purcill, of same place, Architect.	
10	Feb. 1817	- ditto -	-- Edward Brown, of the City of Limerick, Gentleman.	-- Daniel Hogan, of the City of Limerick, Feather Merchant; John Brown, of same place, Feather Merchant; and James Brown, of said City, Clothier.	
11	20 Oct. 1818	- ditto -	-- Stephen Gould, of the City of Limerick, Gentleman.	-- John Denmade, of the City of Limerick, Gentleman; Richard Steward, of same place, Accomptant; and Henry Wheelar, of same place, Hat Manufacturer.	
12	15 Apr. 1819	- ditto -	-- James Haliday, of the City of Limerick, Pawnbroker.	-- William Geddy, of the City of Limerick, Gentleman.	
13	4 July 1821	- ditto -	-- John Fitzgibbon, of the City of Limerick, Gentleman.	-- Charles Allen, of the City of Limerick, Apothecary; Mathew Ryan, of same place, Accomptant; and Edward Fitzgibbon, of same place, Accomptant.	
14	11 Oct. 1821	- ditto -	-- Mathew Connellan and Denis Hogan, both of Mary-street, in the City of Limerick, Gentlemen.	-- James O'Meara, of the City of Limerick, Gentleman; Thomas Maugan, of same place, Gentleman; and Terence O'Brien, of same place, Corn Merchant.	
15	2 May 1822	- ditto -	-- Edward Homan, of the City of Limerick, Gentleman.	-- Charles Edward Homan, of the city of Limerick, Gentleman; Thomas Maugan, of same place, Gentleman; and Richard Fennessy, of same place, Seedsman.	
16	13 Nov. 1822	- ditto -	-- John Myles, of the City of Limerick, Master Clothier.	-- Michael Morrison, of the City of Limerick, Clothier; Edmond Fowloe, of same place, Master Clothier.	
17	25 Mar. 1823	- ditto -	-- Eliza Parker, of the City of Limerick, Widow.	-- Giles Powell, of the City of Limerick, Master Clothier; James M'Mahon, of same place, Master Clothier; and Daniel Mullane, of same place, dyer.	
18	22 May 1823	- ditto -	-- Robert Stewart, of Wilson's Quay, in the City of Limerick, Gentleman.	-- William Peace, of the City of Limerick, Gentleman; William Gould, of same place, Wool Manufacturer; and John Gould, of same place, Glazier.	

 (*continued.*)

CITY of LIMERICK :—RETURNS from Town Clerks of Cities and Towns—*continued.*

No.	Dates of Bonds.	Amount of Bonds.	Principals' Names, Residences and Occupations.	Sureties' Names, Residences and Occupations.	Observations.
19	2 June 1823	£.300 Principal, and Securities £.100 each.	- - John Doyle, of the City of Limerick, Gentleman.	- - Patrick O'Halloran, of Thomond Gate, in the Liberties of Limerick, Gentleman; John Fielding, of same place, Master Tailor; and James Doyle, of the City of Limerick, Gentleman.	
20	25 June 1823	- ditto -	- - John Bunton, of the City of Limerick.	- - Timothy Bunton, of the City of Limerick, Pawnbroker; William Leger, of same place, Cabinet-maker; and John Bunton, of same place, Master Shoemaker.	
21	14 May 1824	- ditto -	- - Michael Barron, of the City of Limerick, Gentleman.	- - John Dundon, of Castle Connell, in the County of Limerick, Hotel-keeper; Maurice Barron, of same place, Spirit-retailer; and Joseph Sexton O'Brien, of Ballyclough, in the Liberties of the City of Limerick, Gentleman.	
22	18 May 1824	- ditto -	- - William Joynt, of the City of Limerick.	- - John M'Namara, of the City of Limerick, Spirit-merchant; John Ramody, of Derrymore, in the County of Clare, Farmer; and Hughes Russell of the said City, Merchant.	
23	18 Jan. 1825	- ditto -	- - William Donovan, of the City of Limerick, Gentleman.	- - John Hogan, of the City of Limerick, Feather-merchant; John Cussen, of same place, Gentleman; and James Donovan, of Rathkeale, in the County of Limerick, Hardware-merchant.	
24	18 Jan. 1825	- ditto -	- - John St. Laurence, of the City of Limerick, Merchant.	- - Daniel Meekam, of the City of Limerick, Flour-factor; Patrick Goulding, of same place, Corn-merchant; and Cornelius Hayes, of same place, Hat-manufacturer.	
25	15 June 1825	- ditto -	- - Hannah Myles, of the City of Limerick, Spinster.	- - John Sweeny, of the City of Limerick, Clothier; John Egan, of same place, Clothier; and Mathew Hayes, of same place, Stuff-manufacturer.	
26	18 Nov. 1825	- ditto -	- - Mary Lynch, of the City of Limerick, Widow.	- - Edward Fennessy, of the City of Limerick, Seedsman; Mathew Hogan, of same place, Merchant; and James Hilliard, of same place, Gentleman.	
27	21 Nov. 1825	- ditto -	- - Michael Kelly, of the City of Limerick, Stone-cutter.	- - William Kelly, of the City of Limerick, Master Stone-cutter; Andrew Fowl, of same place, Chandler; and Charles Vaughan, of same place, Gentleman.	
28	27 Dec. 1825	- ditto -	- - Eliza Keith, of the City of Limerick, Spinster.	- - James Sweeny, of City of Limerick, Grocer; Joseph Jones, of same place, Plumber; and Samuel Caswell, of same place, Merchant.	
29	26 Aug. 1826	- ditto -	- - John Murphy, of the City of Limerick, Gentleman.	- - Thomas Byrnes, of the City of Limerick, Master Cooper; William Murphy, of same place, Gentleman; and Henry Preston, of same place, Accomptant.	
30	31 Oct. 1826	- ditto -	- - Margaret Lawson, of the City of Limerick, Widow.	- -William Gould, of the City of Limerick, Dyer; Joseph Jones, of same place, Plumber and Glazier; and Timothy Bunton, of same place, Pawnbroker.	
31	26 Feb. 1827	- ditto -	- - Thomas Moloney, of the City of Limerick, Gentleman.	- - Edward Fennessy, of the City of Limerick, Seedsman; John Ellard, of the City of Limerick, Grocer; and Robert O'Shaughnessy, of same place, Gentleman.	
32	27 Feb. 1827	- ditto -	- - John Boland, of the City of Limerick, Gentleman.	- - Michael O'Connor, of the City of Limerick, Gentleman; Christopher Bernard, of same place, Gentleman; and Martin Sheahan, of same place, Accomptant.	
33	23 Feb. 1828	- ditto -	- - William Ashton, of the City of Limerick, Chandler.	- - Patrick Hogan, of the City of Limerick, Spirit-retailer; William Kiely, of same place, Gentleman; Michael Hogan, of same place, Gentleman.	
34	14 Mar. 1828	- ditto -	- - Eliza Keith, Widow	- - John Bunton, of the City of Limerick, Gentleman; James Seward, of same place, Grocer; and George M'Auliff, of same place, Grocer.	
35	3 June 1828	- ditto -	- - Catherine Molony, Widow.	- - John Stokes, of the City of Limerick, Architect; Hugh Molony, Spirit-retailer; Patrick Grace, Linen-draper.	
36	11 June 1828	- ditto -	- - John Mullock, of the City of Limerick, Gentleman.	- - Luke Mullock, of the City of Limerick, Ship-broker; Joseph Mullock, of same place, Gentleman; and Ralph Wilson, of same place, Boot and Shoemaker.	

CITY of LIMERICK:—RETURNS from Town Clerks of Cities and Towns—*continued.*

No.	Dates of Bonds.	Amount of Bonds.	Principals' Names, Residences and Occupations.	Sureties' Names, Residences and Occupations.	Observations.
37	3 Dec. 1828	£.300 Principal, and Securities £.100 each.	- - George Myles, of the City of Limerick, Woollen-manufacturer.	- - James Myles, of the City of Limerick, Hardware-merchant; Zachary Myles, of same place, Clothier; and Thomas Myles, of same place, Gentleman.	
38	23 Dec. 1828	- ditto -	- - Patrick Conway, of the City of Limerick, Gentleman.	- - Patrick Grace, sen., of the City of Limerick, Gentleman; Thomas Foley, of the City of Limerick, Dealer; and John Duyer, of the City of Limerick, Grocer.	
39	5 Feb. 1829	- ditto -	- - John Carrig, of the City of Limerick, Cabinet-maker.	- - Charles James, of the City of Limerick, Cabinet-maker; John Roonan, of the City of Limerick, Gentleman; and John Clanchy, of the City of Limerick, Spirit-retailer.	
40	26 Mar. 1829	- ditto -	- - Edmond FitzGibbon, of the City of Limerick, Gentleman.	- - Rev. James FitzGibbon, of the City of Limerick, Roman Catholic Curate; John FitzGibbon, of same place, Pawnbroker; and John Doyle, of same place, Pawnbroker.	
41	16 May 1829	- ditto -	- - John Russell, of the City of Limerick, Merchant.	- - John Dalton, of the City of Limerick, Butcher; Michael Healy, of same place, Butcher; and John Donovan, of same place, Butcher.	
42	24 July 1829	- ditto -	- - John Parker, of the City of Limerick, Gentleman.	- - Thomas Parker, of the City of Limerick, Clothier; Thomas Evans, of the City of Limerick, Gentleman; and James Myles, of the City of Limerick, Shopkeeper.	
43	1 Aug. 1829	- ditto -	- - Thomas Corbett, of the City of Limerick, Chandler.	- - Michael Reordon, of the City of Limerick, Apothecary; Henry Molony, of the City of Limerick, Gentleman; and Peter Cleary, of the City of Limerick, Apothecary.	
44	5 Aug. 1829	- ditto -	- - James Myles, of the City of Limerick, Gentleman.	- - John Parker, of the City of Limerick, Pawnbroker; Mathew Hayes, of same place, Clothier; and John Egan, of same place, Wool-comber.	
45	15 Aug. 1829	- ditto -	- - Mary Dickson, of the City of Limerick, Spinster.	- - Samuel Tulhill, of the City of Limerick, Gentleman; Mathew James Moore, of same place, Grocer; and Thomas Moore, of same place, Dyer.	
46	29 Apr. 1830	- ditto -	- - Timothy Bunton, of the City of Limerick, Gentleman.	- - John Bunton, of the City of Limerick, Pawnbroker; Henry Smyth, of same place, Silversmith; and Edward Homan, of same place, Apothecary.	
47	16 Oct. 1830	- ditto -	- - Catherine Peacock, of the City of Limerick, Widow.	- - Patrick Kelly, of the City of Limerick, Coach-owner; Jeremiah Ryan, of same place, Merchant; and Michael O'Connor, of same place, Auctioneer.	
48	29 Oct. 1830	- ditto -	- - Richard Bunton, of the City of Limerick, Leather-retailer.	- - Richard Palmer Canter, of the City of Limerick, Printer; Ralph Wilson, of same place, Master Shoe-maker; and Patrick Meehan, of same place, Merchant.	
49	1831	- ditto -	- - Mortimer Shannon, of the City of Limerick, Hardware-merchant.	- - John M'Donnell, of the City of Limerick, Woollen-draper; Maurice Scanlan, of same place, Spirit-retailer; and Solomon Frost, of same place, Woollen-draper.	
50	3 Mar. 1832	- ditto -	- - Alexander Trousdell, of the City of Limerick, Gentleman.	- - James Myles, of the City of Limerick, Gentleman; Thomas Myles, of same place, Gentleman; and John Myles, of same place, Pawnbroker.	
51	20 Aug. 1832	- ditto -	- - Zachary Myles, of the City of Limerick, Gentleman.	- - Thomas Myles, of the City of Limerick, Gentleman; James Myles, of same place, Hardware-merchant; and Zachary Myles, of same place, Gentleman.	
52	30 Aug. 1832	- ditto -	- - Hannah Russell, of the City of Limerick, Widow.	- - Alexander Trousdell, of the City of Limerick, Pawnbroker; James Myles, of same place, Gentleman; and Thomas Myles, of same place, Gentleman.	
53	- ditto -	- ditto -	- - Thomas Myles, of the City of Limerick, Gentleman.	- - Alexander Trousdell, of the City of Limerick, Pawnbroker; James Myles, of same place, Gentleman; and John Moore, of same place, Dyer.	

CITY of LIMERICK :—RETURNS from Town Clerks of Cities and Towns—*continued.*

No.	Dates of Bonds.	Amount of Bonds.	Principals' Names, Residences and Occupations.	Sureties' Names, Residences and Occupations.	Observations.
54	29 Oct. 1832	£. 300 Principal, and Securities £. 100 each.	- - Bridget Donovan, of the City of Limerick, Spinster.	- - Michael Donovan, of the City of Limerick, Pawnbroker; Walter Burke Hogan, of same place, Leather-retailer; and John Hogan, of same place, Feather-merchant.	
55	17 Nov. 1832	- ditto -	- - Stephen Drysdale, of the City of Limerick, Gentleman.	- - Philip Lyons, of the City of Limerick, Hardware-merchant; John C. Drysdale, of same place, Chandler; and John M'Ardell, of same place, Gentleman.	
56	29 Nov. 1832	- ditto -	- - William Carey, of the City of Limerick, Gentleman.	- - Edmond Quilly, of the City of Limerick, Accompant; John Purcell, of same place, Builder; and Patrick Duyer, of same place, Woollen-draper.	
57	9 Feb. 1833	- ditto -	- - Sarah Heath, of the City of Limerick, Spinster.	- - Thomas Blake, of the City of Limerick, Gentleman; Timothy Okeley, of same place, Apothecary; and James Clements, of same place, Acting Chief Constable of City of Limerick Police.	
58	12 July 1833	- ditto -	- - John Skiddy, of the City of Limerick, Architect.	- - John Duyer, of the City of Limerick, Grocer and Spirit-retailer; William Keely, of same place, Grocer and Spirit-retailer; and Michael Keely, of same place, Pawnbroker.	
59	14 Oct. 1833	- ditto -	- - Margaret St. Laurence, of the City of Limerick, Widow.	- - Patrick Goulding, of the City of Limerick, Merchant; John Kerby, of same place, Hat-manufacturer.	
60	June 1834	- ditto -	- - Edward G. Parker, of the City of Limerick, Gentleman.	- - James Corneill, of the City of Limerick, Gentleman; Oliver Stephenson and William Canter, both of said City, Gentlemen.	

COUNTY OF THE CITY OF WATERFORD.

No.	Names of Pawnbrokers, Residences and Dates of Bonds.	Names of Sureties.	Residences.	Occupations.	Dates of Bonds.
1	John Brophy, of Stephen-street; Bond, dated 14 July 1836 - - - -	Walter Kelly - -	Ballybricken -	Stationer - -	14 July 1836.
		George Boyle - -	Quay - - -	Shoemaker - -	- ditto.
		Patrick Tobin - -	ditto - - -	Woollen-draper -	- ditto.
2	Fenton William Case, of Peter-street; Bond, dated 26 May 1825 - - - -	Abraham Henderson	Anne-street - -	Gentleman - -	26 May 1825.
		John O'Neille - -	- ditto - -	- ditto - -	- ditto.
		Robert Sheffield -	Peter-street - -	Pawnbroker - -	- ditto.
3	Daniel Doyle, of Michael-street; Bond, dated 3 June 1834 - - - -	Patrick Dalton -	Michael-street -	Chandler - -	3 June 1834.
		John Fahy - -	Manor - -	Gentleman - -	- ditto.
		Richard Phelan -	John-street - -	Publican - -	31 Jan. 1838.
4	Johanna Dunphy, of Lady-lane; Bond, dated 10 Oct. 1837 - - - -	William Sullivan -	Stephen-street -	- ditto - -	10 Oct. 1837.
		Daniel Lynagh -	- ditto - -	Brewer - -	- ditto.
		John Murphy - -	Waterford - -	Carpenter - -	- ditto.
5	Edward Grennan, of Parliament-street; Bond, dated 15 October 1829 - -	John Campion -	Barrack-street -	Innkeeper - -	15 Oct. 1829.
		Simon Campion -	Hennessy's-road -	Gentleman - -	- ditto.
		John Grennan -	Parliament-street -	- ditto - -	- ditto.
6	Benjamin Hill, of Lady-lane; Bond, dated 7 September 1832 - - - -	Thomas Hill - -	Ghost-lane - -	Shoemaker - -	7 Sept. 1832.
		George Mahony -	Peter-street - -	Serjeant-at-Mace -	- ditto.
		James Budd - -	- ditto - -	Master Cooper -	5 Feb. 1838.
7	Edward Hynes, of Patrick-street; Bond, dated 28 April 1836 - - -	Thomas Henderson -	Patrick-street -	Shopkeeper - -	28 April 1836.
		Timothy Rafter -	- ditto - -	Dealer - -	- ditto.
		George Boyle - -	Quay - - -	Shoemaker - -	- ditto.
8	John Irwin, of Bakehouse-lane; Bond, dated 27 Oct. 1818 - - - -	Henry Dart - -	ditto - - -	Pump-borer - -	8 Oct. 1828.
		John Flanagan -	Bailey's New-street	Paper-stainer -	- ditto.
		William Roche -	George's-street -	Master Cooper -	5 May 1836.
9	Elizabeth Kavanagh, of Ballybricken; Bond, dated 17 April 1835 - - -	Joseph Dice - -	Springgarden-alley	Whitesmith - -	17 April 1835.
		Richard Wilson -	Lady-lane - -	Cabinet-maker -	- ditto.
		Martin Kavanagh -	Spring-garden-alley	Revenue boatman -	- ditto.
10	Eleanor Lawton, of Stephen-street; Bond, dated 17 March 1831 - - -	Nicholas O'Neille -	Patrick-street -	Grocer - -	17 March 1831.
		Michael Conran -	Stephen-street -	Medical Doctor -	- ditto.
		Daniel Lynagh -	- ditto - -	Brewer - -	18 Oct. 1831.
11	Margaret Manning, of Stephen-street; Bond, dated 30 April 1829 - - - -	Thomas Power -	Anne-street - -	Master Cooper -	15 April 1836.
		William Curran -	Stephen-street -	Shopkeeper - -	- ditto.
		William Slaney -	- ditto - -	Pawnbroker - -	7 Sept. 1837.

COUNTY of the CITY of WATERFORD:—RETURNS from Town Clerks of Cities and Towns—*continued*.

No.	Names of Pawnbrokers, Residences and Dates of Bonds.	Names of Sureties.	Residences.	Occupations.	Dates of Bonds.
12	Edward Maddigan, of Cook-lane; Bond, dated 19 July 1830	William Murphy Sylvester Phelan Lau. Scanlan	Ferry-bank High-street Cook-lane	Merchant Grocer Cork-cutter	19 July 1830. - ditto. - ditto.
13	John Noble, of Stephen-street; Bond, dated 22 April 1831	John Todd Tobias Archdekin Thomas O'Reilly	Patrick-street - ditto Broad-street	Saddler Shopkeeper Tobacconist	22 April 1831. - ditto. - ditto.
14	John O'Brien, of Bake-house-lane; Bond, dated 28 March 1834	Thomas Bourke Richard Phelan William Hearne	Yellow-road John-street Square	Master Cooper Publican Grocer	28 March 1834. 31 Jan. 1838. - ditto.
15	Bridget O'Reilly, of John-street; Bond, dated 31 January 1838	Matthew Power Richard Phelan Henry Chamney	John-street - ditto John's-hill	Publican - ditto Gentleman	- ditto. - ditto. - ditto.
16	Hannah Pounder, of Stephen-street; Bond, dated 18 September 1828	John Todd James Butler James Abernethy	Patrick-street Barrons-street Patrick-street	Saddler Master Tailor Shopkeeper	18 Sept. 1828. - ditto. - ditto.
17	Robert Sheffield, of Peter-street; Bond, dated 5 May 1827	Matthew Murphy Fenton Wm. Case Henry Griffith	Bailey New-street Peter-street Waterford	Gentleman Pawnbroker Painter	5 May 1827. - ditto. 1 July 1830.
18	William Slaney, of Stephen-street; Bond, dated 8 August 1837	William Murphy Patrick Connolly Daniel Maher	Patrick-street - ditto - ditto	Publican Baker Publican	8 August 1837. - ditto. 3 Feb. 1838.
19	Elizabeth Slaney, of Stephen-street; Bond, dated 1 May 1821	William O'Neille Michael Dunne Man. Power	Tramore-ct., Waterford Waterford - ditto	Architect Pawnbroker Farmer	1 May 1821. - ditto. - ditto.
20	John Todd, of Michael-street; Bond, dated 7 May 1836	John Fitzgerald James Abernethy Tobias Archdekin	Patrick-street - ditto - ditto	Publican Shopkeeper - ditto	7 May 1836. - ditto. 31 Jan. 1838.
21	Anne Todd, of Michael-street; Bond, dated 4 September 1832	James Abernethy Tobias Archdekin John Fitzgerald	- ditto - ditto - ditto	- ditto - ditto Publican	4 Sept. 1832. - ditto. 31 Jan. 1838.
22	Martin Walsh, of the Mayor's Walk; Bond, dated 17 October 1837	John Evoy John Murphy James Gibney	Newgate Waterford Ballybricken	Brewer Farmer Chandler	17 Oct. 1837. - ditto. - ditto.
23	Margaret Duffy, of the Yellow-road; Bond, dated 3 February 1831	William Caulfield John Collaghan Martin Ryan	Ballybricken - ditto John's-hill	Dealer Publican Gentleman	3 Feb. 1838. - ditto. - ditto.
24	James Fortescue, of Patrick-street, Appraiser and Auctioneer; Bond, dated 25 March 1822	John Cox James Munn Tobias Archdekin	Quay Patrick-street - ditto	Rope-maker Shoemaker Shopkeeper	25 March 1822. 18 April 1836. 1 Feb. 1838.

R. Cooke, Town Clerk.

TOWN OF YOUGHAL.

Pawnbrokers' Names.	Residences.	Names, Residences and Occupations of Sureties.	Dates of Bonds.
Catherine Walsh	South Main-street, in the Town of Youghal	Patrick Ronayne, Youghal, Chandler Joseph Murphy - ditto - Spirit-retailer John O'Neill - ditto - Salt-refiner	15 Feb. 1820.
Mary Barry	South Main-street, in the Town of Youghal	John Ryan - ditto - Corn-merchant John Taylor - ditto - Corn-merchant William Doherty - ditto - Woollen Draper	28 May 1836.
Michael Flanagan	North Main-street, in the Town of Youghal	Thomas Flynn - ditto - Shopkeeper Wm. Buckmaster - ditto - Woollen Draper William Osborne - ditto - Grocer	17 March 1837.
Michael Mullins	North Main-street, in the Town of Youghal	Edward Morgan - ditto - Woollen Draper Richard Morgan - ditto - Woollen Draper Alexander Eager - ditto - Shopkeeper	31 March 1837.
Andrew Johnson	North Main-street, in the Town of Youghal	Richard Pilkington ditto Wine and Spirit Merch^{t} Thomas Sims - ditto - Apothecary Henry Browne - ditto - Gentleman	3 Oct. 1837.
APPRAISERS' NAME.			
Michael Mullins	North Main-street, Youghal	Patrick Ronayne - ditto - Chandler Thomas Browne - ditto - Shopkeeper William Barry - ditto - Grocer	29 August 1825.

Town Clerk's Office, Youghal, 2 February 1838.

Which I humbly certify,
John Jenkins, Town Clerk of Youghal.

RETURNS from Secretaries of Grand Juries.

A RETURN of the Names and Residences of Persons appointed by Grand Juries to be Appraisers and Auctioneers; of their Sureties who have lodged Bonds in their Office, and have taken the Oath appointed to be taken, pursuant to Act 26 Geo. 3, c. 43, s. 36 & 37.

COUNTY OF ANTRIM.

NAMES.	RESIDENCES.
John Devlin	Belfast.
John Byrne	Belfast.
William Todd	Belfast.
John Moore	Belfast.

There have not been any Bonds of the above Persons or their Sureties lodged in the Secretary's Office, consequently no Return can be made of the Names of the Sureties, nor can it be stated whether the Oath required by the Act of the 26th Geo. 3, c. 43, s. 36 & 37, has been taken by the respective Parties.

Carrickfergus, 6 February 1838.

John Coates,
Secretary of the Grand Jury of the County of Antrim.

COUNTY OF ARMAGH.

I THIS morning had the honour of your letter of the 29th instant; and in reply beg to state, that I never knew of an Appraiser or Auctioneer having been appointed by the Grand Jury of this county, nor of their having given security to the Grand Jury, and I have acted as Secretary for the last twenty years.

I have, &c.

Armagh, 31 January 1838.

T. V. Everett.

T. Drummond, Esq. &c. &c. &c.

COUNTY OF CARLOW.

Sir, Grand Jury Secretary's Office, Carlow, 1 February 1838.

I BEG to acknowledge the receipt of your letter, dated the 29th ultimo, with an Order of the House of Commons, for—" A Return from each of the Grand Jury Secretaries in Ireland of the Names and Residences of all Persons appointed Appraisers and Auctioneers in Ireland; of their Sureties who have lodged Bonds in their Office and have taken the Oath appointed to be taken, pursuant to an Act passed in the Irish Parliament, in the 26th Geo. 3, c. 4, s. 36 & 37." In reply, I take leave to inform you, there have been no documents lodged with the Secretary of the Grand Jury of the County of Carlow relating to the above-mentioned Return.

I have, &c.

Thomas Drummond, Esq., &c. &c. &c. Castle, Dublin.

Rob^t Browne,
Secretary to the Grand Jury, County Carlow.

TOWN OF CARRICKFERGUS.

Sir, Carrickfergus, 31 January 1838.

I BEG leave to acknowledge the receipt of your letter of the 29th instant, accompanied by an Order of the House of Commons, of the 22d instant, requiring the Names and Residences of all Persons appointed Appraisers and Auctioneers; also, of their Sureties, &c.

In reply, I have to state, that there are no Appraisers nor Auctioneers resident within the bounds of the County of the Town of Carrickfergus, nor have been for the last sixteen years, the period I have held the situation of Secretary of the Grand Jury of this county.

I am, &c.

To T. Drummond, Esq., &c. &c. &c. Castle, Dublin.

John M. Eccleston, Secretary.

COUNTY OF CAVAN.

I HUMBLY certify, that there does not appear any Bond, Record or other document, in anywise connected with the above Order, in the Office of the Secretary of Grand Jury of County of Cavan.

Cavan, 12 February 1838.

Edward E. Mayne,
Sec^y of Grand Jury.

RETURNS from Secretaries of Grand Juries—*continued.*

COUNTY OF CLARE.

Appraisers.	Auctioneers.	Securities who lodged Bonds.
None.	None.	None.

Francis Morice,
Grand Jury Secretary, County of Clare.

9 February 1838.

COUNTY OF CORK.

Dates of Appointment.	Names.	Auctioneers or Appraisers.	
1823:			
Summer Assizes -	Richard Curry -	Auctioneer and Appraiser.	For the Town of Youghal.
Ditto - -	John Armstrong	ditto - ditto -	For the Town of Kinsale.
1825:			
Summer Assizes -	Roger B. Evans -	Auctioneer -	For the County.
Ditto - -	Richard Curry -	ditto - -	For the Town of Youghal.
1831:			
Summer Assizes -	John Martin -	Auctioneers and Appraisers -	For the Towns of Bandon, Macroom, Clonakilty, Skibbereen, Bantry, Dunmanway, Rosscarbery, Mill-street, &c.
	James Norton -		
	William Martin -		
Ditto - -	James Barry -	Auctioneer and Appraiser.	For the East Riding; viz. Cove Midleton, &c.

I certify that the above are the Names of all Persons who have been appointed Appraisers or Auctioneers by the Grand Juries of the County of Cork, as far as I can ascertain; but there is no document or record in my office which would enable me to state whether they have entered into any bonds, none being lodged with me; or whether any or which of them have taken the oaths appointed to be taken.

Richard B. Cotter,
Secretary to the County Cork Grand Jury.

Cork, 7 March 1838.

CITY OF CORK.

I certify that no such Bond has ever been lodged in my office.

Denham Franklin,
Grand Jury Secretary, City of Cork.

Secretary's Office, March 8, 1838.

COUNTY OF DONEGAL.

Names.	Residences.
Nil.	Nil.

William M. Clintock Spence,
Secretary Grand Jury, County of Donegal.

Lifford, 31 January 1838.

COUNTY OF DOWN.

IN obedience to the Order of the Honourable the House of Commons, bearing date the 22d day of January 1838:

I certify that there is not any document in my office to show that any such appointment was ever made by the Grand Jury of this county.

Robert Gordon,
Secretary to the Grand Jury of the County of Down.

Dated this 2d day of February 1838.

RETURNS from Secretaries of Grand Juries—*continued.*

COUNTY OF DUBLIN.

Sir, 31 January 1838.

IN reply to your letter of the 29th instant, transmitting to me, by the command of the Lord Lieutenant, a Copy of an Order of the House of Commons, dated the 22d instant, signifying his Excellency's desire that I should forthwith furnish you Returns in duplicate of the Names and Residences of all Persons appointed Appraisers and Auctioneers in Ireland; of their Sureties who have lodged Bonds in my Office, and have taken the Oath appointed to be taken, pursuant to an Act passed in the Irish Parliament in the 26th Geo. 3, cap. 43, sec. 36 & 37:

I beg to state, that there have not been any Bonds, as referred to, lodged in my office.

I have, &c.
Henry Baker, Secretary of the Grand Jury, County of Dublin.
Office, 4, North Frederick-street.

CITY OF DUBLIN.

26, Rutland-square, North, 6 February 1838.

UPON search in the books of the Grand Juries of the County of the City of Dublin, from the year 1805 to the present time, it does not appear that the Grand Juries for the County of the City of Dublin did appoint any Appraisers or Auctioneers, or that any Bonds were passed, or oaths taken by Appraisers or Auctioneers for the County of the City of Dublin.

Alexander Montgomery,
Secretary Grand Juries for the County of the City of Dublin.

TOWN OF DROGHEDA.

— None. —

Certified per *John Crawford*,
Secretary to the Grand Jury of the County of the Town of Drogheda.

COUNTY OF FERMANAGH.

— None. —

Examined by *William Irvine*,
31 January 1838. Secretary Grand Jury of Fermanagh.

COUNTY OF GALWAY.

— None. —

Barry O'Hara, Secretary.
Grand Jury Secretary's Office, Galway, 3 February 1838.

TOWN OF GALWAY.

Sir, Galway, 20 April 1838.

REFERRING to the communications addressed to me, calling for Returns required by the House of Commons, dated 22d January, relating to Auctioneers, I beg leave to state, that their Bonds, and the Names of their Securities, have never been lodged in my office, but on making inquiry, I understand that these documents have been lodged in the Office of the Clerk of the Peace.

I am, &c.
T. Drummond, Esq., Secretary, *Robert Adams*, Secretary.
Dublin Castle.

COUNTY OF KERRY.

No Appraiser or Auctioneer has been appointed by the Grand Jury of this County.

Henry M'Can, Grand Jury Secretary,
Tralee, 14 February 1838. County Kerry.

RETURNS from Secretaries of Grand Juries—*continued.*

COUNTY OF KILDARE.

Sir, Secretary's Office, Naas, 11 March 1838.

BEING on a round of road sessions, I was not able until this day to acknowledge your official communication relative to Pawnbrokers.

I have no way of ascertaining the Number of Pawnbrokers; and no registry of such persons has been made in my office.

I have &c.

To T. Drummond, Esq. &c. &c. &c.

William Goodwin, Secretary of County Kildare Grand Jury.

COUNTY OF KILKENNY.

Sir, Kilkenny, 15 February 1838.

IN compliance with the Order of the House of Commons of the 22d January last, relative to Appraisers and Auctioneers having lodged Bonds or taken the oaths pursuant to the 26 Geo. 3, c. 43 : I beg to say, that there are no documents or trace of evidence that such was ever done in this county.

I have, &c.

H. Devereux, Secretary Grand Jury, County Kilkenny.

COUNTY OF THE CITY OF KILKENNY.

— Nil. —

No such appointment made within thirty years which I have been Secretary of the Grand Jury, nor can I trace any such on the books left by my predecessor.

Which I certify,

6 February 1838. *James M'Creery*, Secretary Grand Jury, City Kilkenny.

KING'S COUNTY.

Sir, Tullamore, 3 February 1838.

IN reply to your letter of the 29th ultimo, enclosing a copy of an Order of the House of Commons, requiring "A Return of the Names and Residences of all persons appointed Appraisers and Auctioneers, &c. pursuant to the Act of the 26 Geo. 3. c. 43, s. 36 & 37," I have to state for the information of his Excellency the Lord Lieutenant, that no such appointments have taken place in this county.

If any persons have acted as Appraisers, I believe they have lodged their Bonds with the County Treasurer, to whom I beg leave respectfully to refer you.

I have, &c.

Thomas Drummond, Esq. &c. &c. &c.

Thomas Mitchell, Secretary King's County Grand Jury.

COUNTY OF LEITRIM.

Names of Auctioneers and Appraisers and their Residences.	Names of Sureties and their Residences.
None.	None.

H. F. Cullen,

Secretary's Office, 8 February 1838. Secretary of Grand Jury, County of Leitrim.

COUNTY OF LIMERICK.

Sir, County Secretary's Office, Limerick, 1 February 1838.

IN reply to your letter of the 29th instant, enclosing an Order of the House of Commons, requiring the Names and Residences of all persons appointed Appraisers and Auctioneers, &c. &c., I beg to state, there have been no Bonds of either lodged in this office.

I have, &c.

T. Drummond, Esq. &c. &c. &c. *Edmond Gabbett*, Secretary Grand Jury, County Limerick.

RETURNS from Secretaries of Grand Juries—*continued.*

CITY OF LIMERICK.

Sir, Limerick, 18 April 1838.

I HAVE the honour to inform you, that there is no Return in the hands of the Secretary to the City Grand Jury relative to Auctioneers. Your former letters were delivered to the Clerk of the Crown and Peace for this City, as the required information is to be furnished by that officer, and early in February last he informed me he would forward to you the necessary information.

T. Drummond, Esq.
Castle, Dublin.

I am, &c.
W. Piercy.

CITY AND COUNTY OF LONDONDERRY.

I CERTIFY that the only person that appears to have been appointed Appraiser and Auctioneer under said Act is Dennis Bradley, of Coleraine, who was appointed Pawnbroker Appraiser at spring assizes 1836, when duly qualified for the Coleraine District; but no qualification or security have been passed or entered into.

John Thos. Gregg,
Secretary to Grand Jury.

COUNTY OF LONGFORD.

Names of Auctioneers, &c.	Residences.	Names of Sureties.	Residences.	Office in which Bonds are lodged.	Oath.
John Clarke - -	Longford -	Michael M'Guire Bryan Murray -	Longford - ditto -	Excise Office, Athlone.	Not taken.
James Ganley -	ditto - -	John M'Cleland William Gray -	ditto - ditto -	ditto - -	ditto.
Thomas Huston -	ditto - -	Michael Quin - Henry Ruxton -	ditto - ditto -	ditto - -	ditto.
Edward W. Briggs	Ballymahon -	Andrew O'Brien John Lee - -	Ballymahon ditto -	ditto - -	ditto.

The Auctioneers, &c. were not appointed by Grand Jury.

Edgeworthstone,
12 February 1838.

James Geoffroy,
Secretary to Grand Jury, County Longford.

COUNTY OF LOUTH.

— None. —

Alex. Shekleton,
Dundalk, 7 February 1838. Secretary to Grand Jury of Louth.

COUNTY OF MAYO.

— None. —

G. Clendrinning, jun.
Secretary of Grand Jury, County of Mayo.

COUNTY OF MEATH.

— None. —

Wm. Allen,
Secretary Grand Jury of Meath.

RETURNS from Secretaries of Grand Juries—*continued.*

COUNTY OF MONAGHAN.

—None.—

Certified by me,
Alex^r Mitchell,
Sec. of the Grand Jury,
Co. of Monaghan.

1 Feb. 1838.

QUEEN'S COUNTY.

Sir, Secretary's Office, Maryborough Court-house, 2 Feb. 1838.

I HAVE the honour to acknowledge the receipt of your letter of 29th inst. calling for a Return of the names and residences of all persons appointed Appraisers and Auctioneers; of their Securities who have lodged Bonds and taken the oath appointed: In reply, I can only say, I am nearly six years Secretary to the Queen's County Grand Jury; during that period no such documents were lodged with me, and I have searched all documents and papers in the office and have not found any such in it.

I have, &c.
Arthur Moore Mosse,
Secretary Queen's Co. Grand Jury.

To Thomas Drummond, Esq.
Dublin Castle.

COUNTY OF ROSCOMMON.

Sir, Grand Juries' Secretary's Office, Roscommon, 5 February 1838.

I HAD the honour of receiving your letter of the 29th ult. this day, with the copy of an Order of the House of Commons, requiring a Return of the names and residences of all persons appointed Appraisers and Auctioneers; of their Sureties who have lodged Bonds, and have taken the oath appointed to be taken, pursuant to the 26 Geo. 3, cap. 43, sec. 36 & 37.

And in reply to which, I beg leave to acquaint you, that I cannot furnish you with such Return for this county, as there have been no documents lodged in my office that would enable me to do so: the Act has not been, I believe, at all complied with in this county.

I am, &c.
M^l Sharkey,
Sec. Roscommon, G. Jury.

T. Drummond, Esq.
&c. &c. &c.

COUNTY OF SLIGO.

Summer Assizes, 19 July 1823.

PURSUANT to 26 Geo. 3, ch. 43, sec. 26, we present John Keaughron, sen., of Thomas-street, in the town of Sligo, to be a fit and proper person to perform the office and duties of an Appraiser and Auctioneer.

The foregoing is the only document in my custody connected with the appointment of Appraisers and Auctioneers; there is no Bond or registry of oath to correspond with the above appointment.

Robert Christian,
Sec. Grand Jury,
County of Sligo.

Grand Jury Room.

COUNTY OF TIPPERARY.

Sir, Clonmel, 3 Feb. 1838.

I HAVE the honour to acknowledge the receipt of your letter of the 29th ult., enclosing a copy of an Order of the House of Commons, requiring a Return from each of the Grand Jury Secretaries in Ireland; of the names and residences of all persons appointed Appraisers and Auctioneers in Ireland; of their Sureties who have lodged Bonds in their office, and have taken the oath appointed to be taken, pursuant to an Act passed in the Irish Parliament in 26 Geo. 3, c. 43, s. 36 & 37.

I beg leave to acquaint you, for his Excellency the Lord Lieutenant's information, that there are no documents whatever lodged in my office from which I could make the required Return.

I have, &c.
Edwin Sadleir,
Secretary of Grand Jury,
County of Tipperary.

T. Drummond, Esq.
&c. &c. &c.

COUNTY OF TYRONE.

I CERTIFY that there has not been any appointment made by the Grand Jury of said county of Appraisers or Auctioneers, under the 26 Geo. 3, ch. 43, sec. 36 & 37, since my appointment as Secretary at Summer Assizes 1835; nor have I heard there were any such appointments made previous to that period by the Grand Jury.

Alex^r Jno. Constant,
Sec. Tyrone Grand Jury.

RETURNS from Secretaries of Grand Juries—*continued.*

COUNTY OF WATERFORD.

Sir, Waterford, 2 March 1838.

I HAVE made search in the Presentment Books for the County of Waterford, and I do not find that any appointment of an Appraiser or Auctioneer has been at any time made by the Grand Jury of the County of Waterford.

I have, &c.
Mich. Mortimer,
Secretary Grand Jury, County Waterford.

To T. Drummond, Esq.

CITY OF WATERFORD.

Auctioneers' Names.	Residences.	Sureties who have lodged Bonds in Secretary's Office, and have taken the Oaths.
James Fortescue - - -	City of Waterford - - -	None.
William Sharpe - - -	- ditto - - - - -	- ditto.

James Henry Reynett,
Secretary to the Grand Jury of the City of Waterford.

COUNTY OF WESTMEATH.

Sir, Mullingar, 24 February 1838.

I HAVE been honoured with receipt of yours of the 29th ult., requiring a Return to be laid before the House of persons appointed Appraisers and Auctioneers, of their Sureties who have lodged Bonds in my office, and who have taken the oath appointed to be taken, pursuant to the 26 Geo. 3, chap. 43, sec. 36 & 37; and in compliance, Sir, I beg to inform you that there have not been any Bonds lodged in my office by any Appraisers or Auctioneers in this county. I have seen the principal Auctioneer in this county, who informed me he passed no Bonds, nor made any oath relative to such situation, nor did he believe any other Auctioneer in the county did so.

I have, &c.
Philip Tyrrell,
Secretary to Westmeath Grand Jury.

Thomas Drummond, Esq.
&c. &c. &c.

COUNTY OF WEXFORD.

IN answer to the above order, I beg leave to state, I cannot find any record of any appointments of Appraisers or Auctioneers, or any Bonds, &c. lodged in the office of the Secretary to the Grand Jury of the County Wexford.

William S. Derinzy,
Secretary Grand Jury, County Wexford.

4 February 1838.

COUNTY OF WICKLOW.

Sir, Secretary's Office, Wicklow, 1 February 1838.

I BEG leave to acknowledge the receipt of your communication of the 29th ultimo, together with an Order of the House of Commons requiring a Return from each of the Grand Jury Secretaries in Ireland of the Names and Residences of all Persons appointed Appraisers and Auctioneers in Ireland, and of their Sureties who have lodged Bonds in their office, and have taken the oath appointed to be taken.

In reply to the above, I beg leave to state, that on making search in my office, I can find no documents whatever relating to the appointment of either Appraisers or Auctioneers by the Grand Jury of this county.

I have, &c.
B. S. Dekinzi,
Sec. Grand Jury.

To Thomas Drummond, Esq.
&c. &c. &c.

MINUTES OF EVIDENCE TAKEN BEFORE THE IRISH MUNICIPAL INQUIRY COMMISSIONERS.

DUBLIN, Thursday, 5th December 1833.

Court opened at half-past ten o'clock.

John Judkin Butler sworn, and examined.

Is marshal of Dublin, and registrar of pawnbrokers' licenses; held these offices about fourteen months; was appointed to both offices by election by the corporation; was a councilman for the guild of merchants before he was elected; his impression is, that none but freemen are eligible to the offices, but any freeman may be elected; is not aware that the corporation has any power of removal from these offices, except for misconduct; believes there never was an instance of removal; a ballot every year for the office may be demanded, but, in point of practice, it is not acted upon; in point of practice, the office is held for life, but subject to ballot annually, if required by the corporation; the election of these offices is in the usual course of the election of other officers by the corporation.

The situations of marshal and registrar of pawnbrokers have always gone together, that is, have been held by the same person; the Pawnbrokers' Acts always refer to the marshal of Dublin as the registrar of pawnbrokers.

The profits of his office of marshal and returning officer amounted to about 220*l.* or 230*l.* within the last twelve months; he means this as the gross receipt; the gross amount of his receipts for the three offices amount to about 850*l.*

As registrar of pawnbrokers' licenses, his duties are, viz., forfeited pledges in Dublin cannot be sold, except after notice to the marshal; the pawnbroker makes a return to him of such things as are forfeited; witness gives notice to the party who made the pledge, that the time has expired; the notice is given to the individual at his residence; witness gets from the pawnbroker a return of the name and residence, and article pawned; if not redeemed after fourteen days, or a sufficient time for redeeming, the pawnbroker may sell; believes there is an Act of Parliament regulating the time; witness conceives his duty performed when he gives the notice to the individual; has one man under him for serving these notices, to whom he pays ten shillings a week out of the funds of the office; this person is liable to be called on to make an affidavit of the serving of the notice; if there be any dispute about the article, no affidavit is made in the first instance; witness makes no return to the pawnbroker of having served notice; witness generally undertakes to have them served within a given time, and then the pawnbroker gives a certain time after that period; the notice-server is not sworn; witness is the responsible person; when the person is not served, witness apprises the pawnbroker of the fact, but this seldom or ever occurs; has no means of knowing whether the pawnbroker sells before the time limited.

All the pawnbrokers in all Ireland are registered in his office, as far as he can collect them; claims this right under the 26th Geo. 3, c. 30, called the Pawnbrokers' Act.

There are fees on registering a pawnbroker's license; sometimes he receives a guinea, sometimes 5*s.*; he believes all that the registrar is entitled to is 5*s.*; witness generally receives a guinea for registry; never received ten guineas; never claimed more than a crown; it has been usual with his predecessors to receive a guinea; it is optional with the person taking out the license; it is a regulation of the trade to give a guinea; is sure they were apprised of the fact that only 5*s.* were payable, as they are a very intelligent class; the party applying for license first lodges the bonds with the town-clerk, and on getting a certificate of that, witness grants the license; keeps a book of them; they are all registered. He receives returns every year of the amount received on pledges from all the pawnbrokers in Ireland, and makes a return of them to Parliament each Session; is now preparing this return. There is an Act of Parliament entitling him to the fee of 5*s.* on all licenses to pawnbrokers in Ireland, but does not know the Act; charges all the fees in British currency; formerly they were, he believes, in Irish currency.

His predecessor was Mr. John Stanley; is entitled to 12*s.* a year from every pawnbroker, but some of them send him a pound; *does not know how many pawnbrokers there are*; never got a regular return from his predecessor, but is collecting them; there is a full

registry-book, which he never got possession of; it is in possession of Mr. Stanley's widow; witness applied for it, and could not get it; never saw it in her possession.

Never received 10 *l.* for granting a license; never heard of such a sum being received by the marshal; the highest sum he ever received was two guineas, which he got from five or six persons, but a guinea is the standard he receives. Witness grants the licenses on receiving the certificate of having passed the bonds; he does not conceive he has any discretion on the subject; he never saw it necessary to exercise any, and did not exercise any; in all corporate towns, the bonds are lodged with the town clerks; and in counties, before the treasurers; never exercised the right of investigating the solvency of the security.

Keeps a clerk in the registry-office of pawnbrokers; his name is Henry Stanley; is son of the late John Stanley; he has filled that situation since witness's appointment; witness pays him 75 *l.* per year, out of the profits of the office; witness was not obliged to have this person, and witness did not give any sum of money for his office; there was no condition on his appointment; he gave to the widow of his predecessor two bills for 26 *l.* each, at six and twelve months (at the rate of a pound a week), and he further passed two bills at three and four years, for the children of Mr. Stanley, at 50 *l.* each bill; this was a voluntary act, but he made a declaration to the corporation openly in the common council, in returning thanks for his success, that he would do something for the family; specified no sum; made no promise before his election; did not intimate directly or indirectly before his election, that he would do any thing for the family of Mr. Stanley, deceased; there were a great many candidates, but none of Mr. Stanley's family.

None of the country pawnbrokers have resisted his jurisdiction over them. Makes no returns to the police-office; never gets any returns from the police-offices of any fines imposed on pawnbrokers.

The magistrates of police have, as he believes, a power of annulling pawnbroker's licenses; none such, since he came into office, to his knowledge, nor any intimation to witness not to renew the license of any individual.

He has an assistant, Mr. Bentley, who sells for him as auctioneer of pawnbrokers' goods; he is not in any other business; he is paid by poundage; all sums under 1 *l.*, 1 *s.* 4 *d.* in the pound, and over 1 *l.*, 1 *s.* 8 *d.* in the pound; he gets the entire of this. Witness has 3 *l.* a week of emolument from the auctioneer; that is paid him by Mr. Bentley; he receives all the fees, and pays witness 3 *l.* a week. Witness has only one auction-room in the Stephen's Green division. Mr. Bentley was in the office when witness went into it; witness appointed him. There are four auction-rooms; the marshal has only one. *Has never asked or received any return from Mr. Bentley of the actual receipts* of the office. There are sales every week; leaves advertising the sales to Mr. Bentley, who advertises regularly in the Saunders' and Stewart's Dispatch; those papers contain the marshal's advertisements. Witness has gone to the pawnbrokers' auction-rooms, but never staid out the whole of the sale. Supposes that Mr. Bentley's profits, *after paying witness, are* 3 *l. per week*; Mr. Bentley defrays the expense of advertising, the rent of the auction-room, and all the expenses; does not know that he gets any thing but his poundage. Mr. Bentley gave 75 *l.* to witness for his appointment; no more; none of the other officers under witness gave him any thing for his appointment. Holds the office of auctioneer as marshal; gave the required security; the security was for all the duties of marshal generally; it was a general bond to the corporation; is required at the head police-office to enter into a distinct bond as auctioneer; does not exactly know to what amount; took an oath on being appointed marshal; does not think that an oath as auctioneer of the Stephen's Green division was particularly specified in the oath which he took generally as marshal; does not exactly know the precise number of days that goods are brought to the sale-room before being sold.

The sword-bearer appoints a deputy; cannot say whether the two auctioneers appointed by the Lord Lieutenant do the business personally, or by deputy; has no communication at all with them. *Mr. Bentley never took an oath under him.* Does not go to the auction-room as often as once a week; he dares say he has been a month without visiting it; dares say that has occurred oftener than once. The auction-room is in Bride-street, opposite the church. *Has never known any surplus of the sale returned to the person who pawned the goods*; *never* examined the auctioneers' books, nor the pawnbrokers' books. The pawnbrokers give him the returns on oath, if required; *the auctioneer gives him no return of the goods sold*; *none of the auctioneers gives a return to his office*; *the pawnbrokers' returns* specify nothing but the money lent. Has never known goods bought by the auctioneer himself, or by any body for him; has never known that to be the case at marshal's sales; has never, to his recollection, got goods bought for himself at marshal's sales; always avoided it; has a list of charges lying in the marshal's office in his desk, and on the desk, not hung up; has no recollection of any person applying to look at them; if there is any doubt, always refers to the scale in the town-clerk's office, which is a transcript of witness's.

George Lindley sworn, and examined.

Knows something about the divisional auction-rooms; there are four of them, and very serious sums of money, from 500 *l.* to 1,000 *l.*, are given for them by the person who acts in them as auctioneer; does not know to whom. This practice of divisional auction-rooms is perhaps not known in any other city in the world, except in Dublin; it is in fact the greatest

greatest injury to the pawnbrokers themselves; it is a great hardship on the subject. The auctions are held universally in an obscure part of the city, and the better kind of goods, such as plate, jewels, watches, trinkets of every description, and books, are always sold at night; the public never attend them; jobbers, and the pawnbrokers themselves, principally purchase there, and the individual who has pawned them never gets a surplus, or at least never gets what the goods would have brought if taken into the market, and subject to a fair competition. The situations are either paid for, or farmed by the auctioneer.

Witness is not aware that there is one of these situations vacant, witness never having been a competitor for the office. If a stranger comes in, the parties then join in a combination to raise the article so high upon him, as to deter him from ever coming back to them. Witness lately called in to one of these auction-rooms, in Bride-street, and saw most valuable diamonds and trinkets knocked down much below their value.

The public derive considerable injury from there being auctioneers exclusively appointed to these divisional offices. If these auctions were thrown open, respectable auctioneers, who would know the value of the goods, would undertake those sales, and state the value of the goods, and the pawnbrokers would be benefited as much as the public, and would not be compelled to purchase their own goods. *In London there are catalogues published, containing the numbers of the different pledges, and the date of their being pawned, so that a person* will be able to ascertain whether his own goods are exposed for sale, and can go to purchase them, if he chooses; but here there is no notice whatever given of the sale, and the hour is such, that the public are not likely to attend. Mr. Osborne, the jeweller, of Grafton-street, lately made a proposal to the pawnbrokers to have a public shop for the sale of their auctioneers' goods, but he was appointed assay-master to the corporation, and, of course, the project was done away with. Witness accounts for the auctioneers not seeking to get the highest price for their goods, on the principle that the auctioneer is in combination with the pawnbrokers, and from the long-established connexion between them.

Witness has been told that the pawnbroker calculates, in the first instance, what he paid upon the article, his full interest thereon, and expenses, and at that price it is put up; that, having previously informed himself of the value of the article so put up, *he either buys it in again himself, or lets it go to the jobbers attending these auctions.*

The pawnbroker does not wish to have the public present at those sales; the pawnbrokers and the jobbers wish to have all to themselves, and do not wish to have the public present at the auction; and the pawnbroker, besides, does not wish to buy an article for which he would not have an immediate sale, therefore he lets such articles be knocked down to the jobbers; besides this, the pawnbroker secures to himself the money he advanced in the first instance, together with the full amount of interest, and he is indifferent about getting any more, because in that case he should return the surplus. *Clothes pledged by the poor are sold in the day-time, when the poor people cannot attend.*

A pawnbroker may have any one of the four divisional auctioneers to sell his goods. Witness has not heard of any instance in which the auctioneer of the pawnbrokers' sales was a pawnbroker himself, except in *the case of Mr. Wall, who, witness heard,* employed one of his clerks as auctioneer, and, of course, paid the duty for him.

Witness's opinion, on the whole, is, that goods are sold at these divisional sales *much below their fair producible value.* This observation does not apply to the sales by day; at least, it is evident that there is more in proportion made *by the goods sold by day* than those sold at night; the fact is, that all the valuable goods *are sold by night.*

It is but fair to mention, also, that those sales by night are advertised in the newspapers; there is no catalogue, however, published; in London the most trifling articles at those sales are catalogued.

Witness has seen several successive *lots* knocked down at those night sales for 5*l.*, 7*l.*, 10*l.*, and as high as 12*l.*; witness cannot say what the aggregate amount might have been; at the sale which witness visited at Bride-street, he saw a cluster of diamonds knocked down at 4*l.* which were found the next day to be 9*l.* in value; the proper course for the auctioneer in such a case would be to have the diamonds taken out of their settings, weighed, and a value placed upon them according to the number of carats.

One reason why Bentley is so much preferred by the pawnbrokers as an auctioneer is, that he universally pays the amount of the sale to the pawnbrokers on the next day, and in many instances *advances them the amount beforehand,* though he himself gives great credit to the purchasers. At the room in Bride-street, the night witness visited it, there was an auction of clothes, and such inferior articles, in the front part of the room, which was a large one; it was not a room where persons of respectability, particularly females, could think of going.

In the *inner part of the room* the finer articles were sold, and witness had to press his way through the crowd in front in order to get inside.

All these divisional auction-rooms are in obscure places; it is out of the question that a *respectable* auctioneer could think of setting up business in such places. *The practice* of keeping a bellman at the door is not pursued at those divisional sale-rooms. Mr. Bentley himself, the sale-master at those auction-rooms, is sufficiently respectable; he is a candidate for the office of sheriff, and witness believes he is likely to succeed. The police never attend at those auction-rooms. Witness has known the same persons generally to attend those auctions. Witness has attended pawnbrokers' *auctions at London,* and goods are sold at them as fairly as at any other auction; there is fair competition given to the buyers there. Witness thinks it should be imperative that no sale of the kind should take place without catalogues; *the printing of the catalogues is always charged in addition* to the per centage of the pawnbrokers' charges; when a catalogue is published, the goods are always fairly sold. Witness

knows nothing of the pawnbrokers' sales in any of the country towns in Ireland; does not know whether country pawnbrokers ever send up goods pawned with them to these divisional sales.

19th December 1833.

William Frederick Bentley sworn, and examined.

Resides at 37, Charlemont-street, Dublin; is an auctioneer; is deputy to the marshal of Dublin to do the duties of divisional auctioneer for the Stephen's Green division; *by deed* he is allowed also an assistant for each of two divisions, viz. the Rotunda and Stephen's Green; holds the office of auctioneer for both divisions; is appointed to the other (Rotunda) division by the sword-bearer; has held the office as deputy auctioneer to the marshal or sword-bearer for twenty-five years; is now deputy to both. The last marshal died in September, and in two or three months got a deed of appointment from the new marshal; has acted for him since his appointment; William Henry Finlay is sword-bearer; thinks he made the agreement with Finlay the day Stanley, the late marshal, died, viz. about September 1832; the agreement was to give him 3*l.* a week in lieu of his share of the profits, the remainder to go to witness himself for labour and expenses, and losses; *losses, for witness sells goods on credit, and pays the pawnbrokers cash.*

For part of the twenty-five years witness held a division called the Workhouse division, as deputy, for which he paid 20*l.* a year; paid it to a man named John Burke, now dead; he was then an usher in the Foundling Hospital; he had the appointment from the Lord Lieutenant for the time being; held under Burke (thinks) eight or ten years; witness's agreement with Mr. Butler is the same as with Finlay; gave him 50*l.* in hand, and 3*l.* a week, and gave security to them to execute the office fairly and justly, and to account with the pawnbrokers for the proceeds; the appointment is during the life of those persons who appointed him; gave 50*l.*, and no more; gave two 5*l.* notes since the appointment to Mrs. Finlay; she said she had been offered so much by others, whom she might have influenced her husband to appoint; this was after the appointment, and was not spoken of before it.

Is a member of the common council, representative for the Smiths; only took out his freedom a few years since, not exceeding five, as witness thinks. Witness had carried on the business of a pawnbroker about 10 or 12 years; does not now; carried it on about 16 or 17 years ago; is not connected with any pawnbroker's establishment; none of his family carries on that business; has known persons for some years back, pawnbrokers, exercising the office of divisional auctioneer; not the late Mr. Wall; Mr. Thomas M'Namara in the barrack division; he is a pawnbroker; he has not now the office. The late Mr. Wall acted as an auctioneer; did an overt act, selling his own goods, but he was not a divisional auctioneer, nor a deputy; Mr. Wall did not personally sell his own goods, but a man named Edward, who (witness believes) was licensed as a general auctioneer, sold them.

A Mr. Burke (son of the above-named John Burke) exercises the office now in the Workhouse division; he acts by deputy; does not recollect the name of the deputy; witness had been promised that office by Lord Talbot, with the approbation of Mr. Saurin, but did not get it, in consequence of a sudden change of administration. Burke's son had held an office in the London Stamp Office, which he relinquished, on being appointed to the office of auctioneer; John Burke had exercised the office before he appointed witness, but did not succeed, for want of capital; *capital is necessary for a divisional auctioneer, because they sell* on credit, and pay prompt; makes the payment to the pawnbroker, who sends the goods in; no person but that pawnbroker has any claim to account. If any persons came to inquire what particular goods sold for, witness tells them; has now and then succeeded in getting the goods back for the party, by telling them who bought them; does not make any return to the marshal of the goods he sells; *no account is necessary to him,* for he takes the 3*l.* a week for his full share of the profit; *now and then, people who owe witness money, are discharged in the Insolvent Court.* Witness is bound to pay that sum (3*l.*) weekly, come what may; therefore the marshal has no right to interfere with witness. The marshal has given security to the city that the pawnbrokers shall be paid, and witness has given security to him; does not give credit indiscriminately to any one that walks in. Persons apply for credit, and then references to character are got, and sometimes a letter of credit from a respectable person for a certain sum; does not give credit to those only; observes persons who bid at the auctions who are punctual, industrious and trustworthy, and after a little time gives them credit without security; thinks more credit is given without security than with it; if that credit were not given, there would be much less competition in the market; the pawnbrokers should advance the money, and half the business would not be done; those who thus get credit, are habitual frequenters of witness's auction-room.

The course is this: the pawnbroker sends in forfeited pledges; he attends the sale himself, or his clerk; he knows the money lent on each article; he examines it going out to the public; he considers the value of it, and *bids to that extent*; if not sold, the pawnbroker takes home the goods. The pawnbrokers do not buy much; if they do buy, they pay witness the fees, according to the Act; generally settles with them the next day; pays them the net proceeds, deducting the commission. Witness has to look to the purchaser, and sometimes he turns out to be insolvent; has had many causes in the Insolvent Court. Probably, on an average, one-fourth of what is sold, is paid for in ready money. Some of

them

them are habitual frequenters, some of them casual; the greater number are not in the trade of buying and selling; if there be a rummage sale, as of furniture, or of plate and watches, a great number of strangers attend to buy; cannot give a direct answer to the question, whether it is the interest of the habitual frequenters to exclude strangers. Witness's sale-room is open to the public, and is more large, lightsome and airy than the sale-rooms in London; the sale-rooms are large, and lit from the roof. *The auction jewellery and plate are generally sold at night*; advertises the sales, "Forfeited pledges to be sold at such a time and place," and nature of goods stated, and published in two or three newspapers; auctions of plate and jewellery commence generally at eight o'clock in the evening; generally, one pawnbroker's goods occupy the night; formerly, several sold on the same night. The auctions are on fixed days; Mondays, Thursdays and Fridays; sometimes gets nothing to sell; generally one auction night in the week, sometimes two, sometimes three. Archbold officiated at the Rotunda division before witness; thinks Chebury and Dodd were both employed previous to witness; Finlay appointed Chebury; violins and other musical instruments are sold, with plate and jewellery; believes Wall was security for Edwards to Finlay; wearing apparel was sold both by day-light and candle-light; the day sale commences at 11 or 12; it goes on till the lot is sold; furniture is sold in the day, in the same way. Gives credit on every thing sold indiscriminately, on wearing apparel and all. Generally speaking, the goods do not *produce much more than the amount they are pledged for*; *the pawnbrokers are perfectly satisfied if they get the amount of the loan*, and in fact there is great competition amongst them, advancing as much as possible, in order to do as much business as possible; generally speaking, the goods sold are those on which too much has been lent; sometimes the goods produce a little over the sums due, and fees. The Stephen's Green auction-room is in Bride-street, opposite Bride's church; the sale-room for the Rotunda is at No. 157, Capel-street; that for the Barrack division was in Church-street; the office is now vacant; that for the Workhouse division is in Francis-street. Witness superintends both his auction-rooms every day; uniformly sells plate, watches and books himself; does not sell plate and watches in Capel-street at all; the pawnbrokers living in any one division may sell where they please; plate and watches have not lately been sold in Capel-street; has sold there since he held both offices, while Sir James Riddell lived, and during Stanley's time also. Witness's commission is 1 *s.* in the pound, for lots under 40 *s.*; if they sell from 20 *s.* to 40 *s.*, gets 1 *s.* 4 *d.*; under 20 *s.*, 1 *s.* 8 *d.*; this is by the Act 28 Geo. 3. The first reason of selling particular goods in Bride-street was the room being larger; another reason was, that the credit was heavier on those sales, and other auctioneers had not capital as he had. The usual credit is one month; nominally some pay by bills, some pay part cash; the average commission in Bride-street, for a whole year, may be the other side 1,000 *l.*, witness says *upwards of* 1,000 *l.*, and in Capel-street, supposes upwards of 800 *l.*, yet witness pays the same rate for each; the expenses are heavier in one place than in the other. Some of the bidders for jewellery and plate keep watchmakers' shops; some are working jewellers; some go about as itinerants from house to house, and from *shop to shop*; *some* (he believes) *go over to London and to Liverpool to sell low priced watches*; *some are private bidders for their own use*; generally speaking, these are the smallest proportion. Has not the means of forming an opinion as to the proportion of goods which Burke sells in the Watch-house division; has heard he also sells plate and jewels, and he holds his auctions also at night; has heard it was stated here, that the rooms were filthy, and such, that a person who went once, would not go again; the rooms are spacious and lightsome; has heard it was said also, that there was an understanding between the pawnbrokers and the auctioneers, as to the sales, and that fired witness to come forward; the charge is grossly unfounded; does not think it could have occurred, that diamonds worth 9 *l.* were sold for 4 *l.*; Mr. Lindley bid 5 *l.* for a diamond ring; it was sold for 5 *l.* 5 *s.*; Lindley said it was too much, and he only bid so much for a particular person; has no hesitation in swearing that articles generally sell for their utmost value, and only wonders how the purchasers can make any thing of them; when witness looks at jewels or plate, he knows the value, so does the pawnbroker; plate in general is sold by the ounce; the auctioneer takes no previous precaution to ascertain the intrinsic value, he has not the opportunity; the pawnbroker brings his boy or his box, and takes out the article, and *sends it to witness, who then sees it for the first time*; thinks there is no necessity for the auctioneer to take such previous precaution.

20th DECEMBER 1833.

Mr. *Timothy Dooley* sworn, and examined.

WAS a pawnbroker in Dublin, served 12 years to the business, and was 10 years or upwards in business for himself; attended the auction-rooms; these are the only places recognized by law for selling forfeited pledges, *but there is a monopoly of them*; one auctioneer at present holds two divisions; that belonging to the marshal, and that to the sword-bearer. Has been in the habit of attending other auctions. *There is not so fair an opportunity for competition at the divisional auctions as at other auctions*; the pawnbrokers' divisions being in the hands of one person, creates a monopoly. *The auctions are generally attended by the same individual brokers, who get credit, and it is the interest of the auctioneer to give them as many bargains as he can, at the expense of the public, as they consequently will be better enabled to pay him.* Sold (when he was in the trade) with Mr. F. Bentley, and with John M'Namara and Thomas M'Namara; John is dead. Cannot say there was any

consideration given by the auctioneers to the pawnbrokers for sending goods to their room, but one of the auctioneers cultivated a friendship, through one of the officers of the head office of police, to annoy the pawnbrokers, by sending out officers to pawn goods before and after the hours regulated by law; knows that officers went to pawn goods at the pawnbrokers at improper hours, in order to fine them, and did fine them; one Philip Lynch, one of the officers of police, paid a man 10*s.* a week to pawn goods in this way; *it is the habit of pawnbrokers to take goods at prohibited hours*; the magistrates of the head office have given liberty to open before the regulation hours; a deputation of the trade waited on them, and witness, among others, got permission so to do; the permission was given generally to the trade; they got permission to open at eight in the morning, the legal hour being ten, and to keep open till seven in the evening; cannot say what the hours were. Bentley and M'Namara kept the Rotunda division closed for nearly two years. Is sure it is an object with Farrell to increase Bentley's business. It is between eight and nine years since the magistrates gave permission to open at prohibited hours. *The sale-rooms are open to the public, but they have not a fair opportunity of competition; if a stranger bids, the brokers bid up the article to a great deal more than it is worth, to prevent his getting it*; the pawnbrokers bid themselves; they bid on the article until they find it pays them, and sometimes buy it in. *The system of selling at night is a very bad one; thinks it not a time men can judge of articles.* Sometimes plate and watches go above their worth, but, generally speaking, much under. There is a combination among the brokers, which prevents competition; they are considered as one body; they do bid against each other. The auctioneer has an interest to support the buyer to whom he gives credit; if he sold for cash, both he and the buyer would be better off, and the public also. Burke, the auctioneer, acts in person. They are obliged to give a catalogue to the excise, but, from the number and small value of the articles, they allow many to send them in under the head of forfeited pledges, without specifying them in detail.

Hugh M'Intee sworn, and examined.

Has done duty of divisional auctioneer for some time, about two years; it is three years since he commenced; sold sometimes in Bride-street and Capel-street; acts for Mr. Bentley; has a salary of 100*l.* a year; gave nothing for the appointment, which he holds at his pleasure; is engaged six days in the week generally; there are auctions every day; a person of the name of William Hemming has a similar situation, but has only 1*l.* a week; witness has to assist in marking the books, and to look for sales, which Hemming has not; it is a labourer's duty rather; has to go to the pawnbrokers, to solicit them to send in goods to be sold; it is at the option of a pawnbroker to sell at any of the divisional offices he pleases; it is Bentley's interest to procure as many as he can to sell with him; it is his duty to go and solicit, when Bentley cannot, but he does very often. The sale commences sometimes at eleven o'clock, and sometimes at ten, and later; they have to wait for goods and buyers; *the goods come in generally half-an-hour before the sale,* never the day before, except furniture or hardware, and that seldom; the auction lasts two hours, sometimes longer; *the goods are sometimes withdrawn, when they do not produce the money lent upon them.* The day auction concludes about four o'clock; sometimes later, even to six, and later; *the goods sold at the day auctions are furniture, wearing apparel, hardware, bedding, soft goods, tradesmen's tools, &c.* The night auction commences generally about half-past seven, and continues about an hour and a half. Witness sells no plate; Bentley sells all plate and jewellery himself; witness sells hardware generally at night; it sometimes happens that he and Bentley are selling at same time, in different rooms; this occurs seldom with him, but frequently with Hemming; in no instance have there been two auctions going on in Capel-street, but it often happened in Bride-street, and the two auctions are there held in one room; this only happens in the evening, and not every one.

He cannot tell the gross amount of sales at Bride-street in the year. Every sale is entered; this is by a clerk, who enters every sale, and a book-keeper. Peter Riley is the book-keeper at Capel-street, and Flanagan at Bride-street; Davis is clerk at Capel-street, and M'Donagh at Bride-street. The sales are conducted in Capel-street, and when over, he sells at other places. The buyers are generally the same persons; strangers sometimes come in; *cannot say, but his opinion is, that strangers do not attend those sales as much as (those of) other auctioneers.* Never sold until he was employed by Mr. Bentley. He thinks the reason strangers do not bid at these auctions is, that the goods have, after they are bought, to be cleaned up, which brokers are best able to do; the buyers are generally brokers, except of furniture and soft goods; the auctioneer has no means of valuing the goods; the amount lent is pinned upon each article when it comes in for sale, and his object is, to sell that price if he can, which he finds sometimes very hard. The sale-rooms are in good situations, and commodious; generally speaking, the goods sell for fair prices; sometimes double the value is lent upon articles of wearing apparel; knows nothing of sales of plate and jewellery; *these articles come in just before the sale, and there is no opportunity of valuing or cleaning up for sale.* Mr. Bentley gives credit to buyers that he knows, and he has security from some by letter of guarantee, with two securities. Pawnbrokers sometimes buy plate, but not of the soft goods, and that sometimes pawned with themselves; he sometimes walks into Bride-street room; pawnbrokers, or their clerks, attend the sale of plate more than other sales; all plate is sold in Bride-street. Cannot tell the gross amount of sales at both sale-rooms, or either of them, in a year. *Witness thinks the pawnbroking is profitable, and they are a thriving class.* The goods upon which they

they make unfortunate loans, are those which come chiefly to the sales; deaths or failures or living in the country bring also many articles to sale; many articles are sold of all classes; apparel, furniture. Sometimes whole pieces of cloth, &c. are pawned. *Heard of very few pawnbrokers become bankrupt or insolvent.*

To Mr. *Bentley.*] There are about 46 pawnbrokers in Dublin, it is under 50; there are more in Cork, the license being lower. Some country pawnbrokers pay 1 *l.* to the marshal of Dublin, but they are bound only to pay 12 *s.*

There is great difficulty in distinguishing genuine articles of jewellery from what is not. *Does not think that it would prevent fraud, or enable them better to ascertain genuine articles, by the goods being sent to the sale-room some time before sale.*

Does not think that time would assist him in ascertaining genuineness; the pawnbrokers generally consult experienced persons as to value of plate or jewellery before they come to auction, and sometimes tell him the value; thinks that articles are as easily pledged at night, as at a day-sale.

The plate and jewellery is sold at night for the convenience of shopkeepers who could not come; some of the jewellers and watchmakers in Dublin attend frequently at the auction, and purchase on credit. There is one woman who attends, and pays money; she did get credit, but her payments were not satisfactory, so she pays ready money since.

Thomas M'Namara sworn, and examined.

Is an auctioneer and pawnbroker, for 14 years and upwards; he has acted in some of the divisional sale-rooms all the time, some years; first, in the Rotunda division, and since in the Barrack; was deputy to Middleton in the Rotunda division; was continued by Sir James Riddell until appointed by Jones to the Barrack division, which is about 14 years ago; paid Middleton 100 *l.* a year for the situation, and for one or two years 120 *l.* Paid Riddell weekly at the rate of 120 *l.*; paid Jones 92 *l.* British. Has held the auctions in Church-street and Hammond's-lane; has been obliged to change from Church-street to Hammond's-lane, to avoid distress on the goods for taxes which should have been discharged by landlord, and was not; he has the choice of place to hold the auction; paid about from 20 *l.* to 26 *l.* a year for rent.

Holds an auction any day except Saturday; sells five days constantly; does not sell on Saturday, it being a busy day; cannot now get pawnbrokers to send in goods on Saturday; did formerly when he was more active, and had more influence with them; this is witness's way; does not commence until two o'clock, and generally closed before five; began formerly at seven or eight in the evening, but for the last year he has not held any night auction; it was for the sale of inferior articles; silk, plate and jewellery, still on Tuesday evening, commencing at eight o'clock; has continued to eleven o'clock; never to twelve.

The persons who attend such sales are generally shopkeepers, and persons in the trade, who buy to sell again. It is open to all persons, and sometimes strangers, whom they call cash-buyers, drop in, who are the most welcome. They generally credit persons in the trade, and he pays the pawnbrokers in ready money the full amount of sales. Generally sell the goods of one pawnbroker separately; never intermix goods of different pawnbrokers.

Has a clerk, and enters every sale, and makes a return in bulk of the articles sold once a month to custom-house (excise-office). The return contains the amount of goods sold each month; formerly the returns specified each article, but ten years ago they got a privilege to return in bulk. The sales amount to from 300 *l.* to 400 *l.* a month. Makes no other returns. The pawnbrokers have their clerks with a book, in which they enter and check the sales; he does not correct or check their books. About half of the plate and jewellery, he thinks, is paid in cash; he calls short credits of a week or less, cash, but one-fourth of it is not paid in the room.

The auctions are frequented by strangers. Gives no public notice by advertisements or other, except for some particular sales where the pawnbrokers direct it. When advertisements are wanted, he has to pay the expense of it; never refuses to advertise, when pawnbrokers require it. Often sends notice to the persons whom they credit, when they are likely to have any thing of a large sale, which would make it worth while, or if a good article of plate were sent in for sale.

Pawnbrokers from other divisions sell with him. He sells the goods pawned with himself in his own room. A person of the name of D. Connor generally acts as auctioneer on such occasions, but he sometimes sells, himself, goods pawned with him.

Has not acted as auctioneer, however, for two years; but so long as he continued to act as auctioneer, he sold his own goods, as well as those of other pawnbrokers. He has employed Connor to act for him for about a year, and a person of the name of Star, for the year preceding. Does not personally attend during all the auctions, but is there some time every day. The credit he gives to persons in the trade is one month, and at the end of that he takes a bill at two, three or four months; he is not particular with them. He never asks for security from the above persons, and in general does not find it advisable to take security. The annual profit of the sale-room varies; there have been years in which he has made a gross profit of upwards of 800 *l.*; in the lowest, not more than 300 *l.* Does not make returns of sales to the marshal of Dublin. There is not a bellman at the door giving notice of the auction. Generally speaking, the persons who purchase are habitual attenders. Pawnbrokers often buy; they sometimes buy their own goods. Goods come into the sale-room perhaps

an hour before the sale commences; does not catalogue; he values them previously; the pawnbroker sends them in with the sum affixed to each, for which it is pledged; they do not always get that sum; on wearing-apparel often do not.

The plate sales on Friday nights run from 40 *l.*, 60 *l.*, 70 *l.*, to 100 *l.* It very often happens that there is a Friday without a sale; two or three Fridays without one; generally half in the year.

The greatest sales are at Bride-street; does not know any thing about Mr. Burke's sale-room. Was on oath in the town-clerk's office, when first appointed; thinks Connor had also to take an oath.

Pays, as pawnbroker, twelve shillings per annum to the marshal for serving notices, which they never serve; he could not serve them, as they are not given to him to serve; the shilling a month is for returns.

None of the pawnbrokers send in returns; never make out returns to be sent to Parliament; never knew any pawnbroker that did, and does not believe it is done by any. They are all obliged to pay 3 *d.* or 4 *d.*, as the sum is, to the marshal, for each notice of any unredeemed pawn, when the address of the owner is known; originally they paid this as they sent in each sheet, about once a month; the sheets contain the address of the owners, the sum lent, and the money due; latterly they have compromised this, and pay him a round sum, and send in as much as thay please; they did pay 5 *l.* a year, but they now pay 6 *l.*; the present marshal raised it; some who have but small business pay still for each article; they also pay the marshal a guinea on commencing business; witness pays only 12 *s.*; has three pawnbroking establishments, three licenses, and pays separately for each; does not as a pawnbroker pay any other person fees; the town-clerk has fees on taking out the license; does not know the amount; does not give a bill of sale to the pawnbroker of the goods sold; makes an entry of all sales, which he keeps.

The notices are very regularly served by the marshal. The owners of goods do not in ordinary cases attend the sales; has repeatedly known the owners of valuable goods to do so, and to request they might be sent in as quick as possible to sale, when they were not able to redeem them; and he knows of goods sold, on request of the parties, before the regular time had expired.

Keeps an exact account of the goods sold for each pawnbroker in the month; does not make a return of it to the registrar.

Knows the law respecting the time of taking pledges; is the 20th section of 28 Geo. 3, c. 49; it is not observed; does not think it is strictly observed by any of the pawnbrokers; it was felt inconvenient, as people might want money before 10 in the morning; his offices are kept open to five and six o'clock in summer and winter; pledges are not generally taken in winter after six o'clock; thinks there are pawnbrokers who receive goods after six o'clock; believes there are, and knows no bad result from it; will not say he believes pledges are not taken at later hours; thinks it ought to be put an end to, but the pawnbrokers are very correct in their own defence, as they are liable to the forfeiture of the article, and a fine. There is not any secresy observed in taking pledges before 10 o'clock in the morning, nor any difference made in the amount lent, or the interest charged; but persons at the head of the establishment impress on their assistants to be very cautious not to leave them in the power of individuals.

In making an account to the borrower, they charge the principal and interest and the commission on sale, which on small articles are 1 *d.* to the 1 *s.*, &c., &c., regulated by the Act of Parliament; there is 1 *d.* charged for the ticket, if under 10 *s.*; 2 *d.* from 10 *s.* to 40. *s*, and if over 40 *s.*, 4 *d.* If there is a new entry, or a further advance, there must be a new ticket; the old ticket is given up, and a new ticket made out for the whole sum lent; the new ticket includes principal and interest due on the old, to the time of issuing the new, and interest then runs on the whole; some persons are in the habit of entering the fresh advance on the back of the old ticket.

MONDAY, 23d DECEMBER 1833.

Mr. *Philip Lynch* sworn, and examined.

Is a peace-officer of head office of police, nearly twenty-six years; has had a good deal of experience of the pawnbroking business in Dublin. The magistrates of the office exercise a control over pawnbroking, taking care that the offices are closed at the proper hours, and on Sabbaths; they never interfere with the divisional auction-rooms; witness knows nothing about them, nor ever visited them as a peace-officer. Some years ago notice was given to the pawnbrokers to keep shut on the Sabbath-day; cannot say how many years. In 1826 some were fined for being open on the Sabbath, and at prohibited hours. There are not any particular officers appointed to inspect or examine pawnbrokers' offices; they are sent occasionally, on complaints; believes there have not been any fined since 1829; a portion of the fine, one-half, goes to the officer. A few years ago, the magistrates granted them the indulgence of opening at nine o'clock, the legal hour being ten; the respectable pawnbrokers, Messrs. Smith, Whitcroft, Booth, Spence, and thinks some others, came to the magistrates about 1826, and stated that they were determined to keep the regular hours; and, in consequence of the other pawnbrokers not agreeing to do so, Whitcroft, Booth, and some of them, sent out their own servants to pawn goods with those who would not comply with the regulation; afterwards they applied to the magistrates to appoint persons to pawn goods with

with them at prohibited hours, and on the Sabbath, in order to have them fined; the magistrates agreed to do so; witness was one of the officers appointed, and hired a person to whom he paid 10*s.* a week out of his own pocket, and for the goods to be pawned; gave them directions to go to the head division first, and then to proceed to the others; always took care they should be back with the report before ten o'clock; occasionally had more than one employed; witness received his instructions from the chief constable, Mr. Farrell, and believes they came from the magistrates; would not —— the report, if not brought in before ten, and in the evening witness gave them no goods to pawn until after the hours appointed by law; there were occasionally other officers who got similar instructions from the chief constable; this system continued until 1829; believes that the taking away Mr. Wall's license put a stop to it; his license was taken away for repeated offences; the people employed by witness to pawn frequently went to Wall's house, and went more frequently against his house than any other; the pawnbrokers have, since that time, become more correct and cautious, and send reports of stolen goods now, much oftener than they formerly did; it fell away by degrees. The fine generally imposed was 2*l.*; it was sometimes reduced to 1*l.*, and sometimes they were let off altogether on making promises; the officers got one-half; believes the chief constable is entitled to one-tenth; on one or two occasions witness paid him one-tenth, or two shillings in the pound; gave no directions that particular houses should be visited, quite the reverse; their instructions were to visit every house; the summonses were in witness's name; this practice was done to enforce the regulations of the law; some days had six or seven cases; they frequently had that number, sometimes two or three; could not say how much the fines in all amounted to; would not go through the same business again for all he made by it; had to pay the persons employed, and purchase articles to be pawned; there were a great many of them he never released; got the money lent; the goods were various. There are no complaints now against the pawnbrokers; believes they still commit offences; witness does not bring forward any cases of offences between nine and ten o'clock; never gave goods out after seven o'clock. There are no means now adopted by the magistrates to prevent the pawnbrokers from being open at prohibited hours. There is not any person employed to pawn goods with them. There is not any officer appointed to visit the houses to see that they are closed at the proper hours; the houses are very seldom visited except in search of stolen goods. If an officer saw a house open on Sunday, it would be his duty to report the fact.

Knows Mr. Bentley, the auctioneer; does not think he is a friend to Farrell or any of the officers; he gave every opposition he could to the pawnbrokers being fined; he was always present when any of them were summoned, and assisted in instructing their attornies' counsel; is positive that no instructions were given to the persons employed to pawn at particular houses, or to pass by particular houses.

Knows Mr. Smith, a pawnbroker; there were fines against him at first; the pawnbrokers did not contribute to pay the men employed by witness; believes in the beginning one or two lent him some silk handkerchiefs to be pawned.

The men got directions to watch very closely the pawnbrokers who came forward to support the law.

MONDAY, 30th DECEMBER 1833. (Resumed after Christmas.)

Mr. *Samuel Smith* sworn, and examined.

Is a pawnbroker; has been so for 15 years and upwards; pays 100 *l.* a year Irish, of license; carries on his business at No. 9, Henry-street, and 89 Capel-street; carries it on in both places; has two licenses; it is usual for one person to have different licenses to carry on the business in different places; Mr. Whitecroft has two establishments; Mr. Booth has also more than one establishment; witness carries on business alone; got his first license on the 19th of May 1818, for 89, Capel-street, as he believes; was not then in partnership with any body; has never been; has borrowed money from individuals, when he had not sufficient himself, on bills of exchange, bonds, &c.

Has, in some instances, paid more than the legal interest; has agreed to pay for the loan of money 10 *l.* per cent., but never gave a share of the profits; Mr. Farrell is not a partner of witness's; never borrowed any money from Mr. Farrell; cannot say he has had no money dealings with Mr. Farrell, for Mr. Farrell has sometimes borrowed money from witness; sometimes small sums, sometimes large, but he paid him back again very shortly; thinks 100 *l.* is the largest sum Mr. Farrell ever borrowed from witness; it has happened, perhaps, five or ten times, perhaps more, that Mr. Farrell has borrowed money from witness; his acquaintance with Mr. Farrell commenced, he thinks, in 1820 or 1821.

Mr. Farrell never paid him any interest for the money, and generally kept it a very short time; he knows Mr. Bentley, the auctioneer; he employs him to sell for him sometimes in Bride-street, and sometimes in Capel-street; his establishments are both in the Rotunda division; thinks no sum lent him remained with Mr. Farrell more than a week; it is, perhaps, three or four days since he lent Mr. Farrell money; he thinks it was the day before Christmas-day.

It was more than a month before that that he had lent him any money, and before; and before that, perhaps six months, he cannot recollect particularly; does not recollect the sum

he lent Mr. Farrell a month ago, but two or three days ago it was 20*l.*; the sum lent six months ago was 100*l.*

The earliest hour he receives pawns is between eight and nine o'clock, and the latest in the evening is between six and seven.

He sometimes attends the sales of his own goods himself, and sometimes sends a clerk; he buys, but not to a large extent; the best buyers, generally, are what they call "brokers" of old clothes, and other articles, who buy to sell again; these generally buy on credit.

He is secretary and treasurer to the pawnbroking trade; the nature of that office is to have a little funds in his possession, to do any thing with that he may think advisable; has paid from the fund fines imposed on persons in the trade for misconduct, and sometimes lawyers for defending their cases; does not recollect any other purposes to which the fund was applied, except a dinner sometimes; the fund is created by subscriptions from the trade; all do not contribute; believes he never gave out of that fund any money to prosecute persons in the trade for offences; in 1825 or 1826 the trade was a little refractory, and the magistrates called on them to keep the law; the trade, generally speaking, did do so, but persons of the name of Wall, Dooley, and several others, declared they would not, and Wall said he would open and shut when he pleased.

A deputation from the trade waited on the magistrates to procure them to assist in obliging Mr. Wall to keep the proper hours. Mr. Wall was summoned, and convicted, and went home, and continued to go on as before; he was repeatedly summoned and convicted; they had then a magistrate who declared that he would put down Mr. Wall, if he was as strong again as he was; Wall had brought in counsel before the magistrate, and he thought it right to bring in counsel to assist the magistrate, and he did so, and paid him. He never remitted money to the police to assist them in prosecuting offenders; never gave money, or sent money to any person for such purpose. He does not recollect whether he concerted at any time with the police, for the conviction of Mr. Wall; the magistrate who said he would put down Wall, was Mr. Peter Lowe.

The pawnbrokers, even the best-conducted, do receive pawns at earlier hours than the law allows. Does not believe that money was at any time given to the peace-officers for being more alert in doing their duty. Does not know whether Mr. Farrell ever exercised any influence in favour of one auctioneer more than another, and he thinks and believes he never did. Mr. Farrell is not concerned in any business but the duties of his office, that he knows of.

He buys plate and other goods at Mr. Bentley's sales, to the amount of from 30*l.* to 100*l.* each year; cannot say nearer. Thinks he gains by the articles he buys. Thinks that *night* is the best time for selling plate and jewellery.

The goods are sent into the sale-room from six hours to one before the time of sale. The goods are not cleaned or prepared for sale; the auctioneer has an opportunity of estimating the value of goods, and generally Mr. Bentley, if he finds an article going under value, will whisper to the pawnbroker that this would do better another time. He has not attended a night sale for twelve months.

The pawnbrokers generally send plate and jewellery in a box locked, of which he or his clerk have the key, which they do not produce until just before the sale.

It often happens that he lends more on an article of jewellery than it is worth; this seldom happens with plate, as all know the value of it.

Michael Farrell sworn, and examined.

Is chief constable of police in the head office, Dublin. Has a salary of 150*l.* Irish, and some small fees, not exceeding, of late years, 50*l.* a year; they consist of 10*l.*, allowed quarterly out of the fines upon cars and carriages, and one-eighth of fines on publicans or pawnbrokers; this was not 10*l.* last year.

Mr. Smith never remitted money to the police to convict pawnbrokers. Witness has a great number of witnesses and others sent from the country to support and protect in town; the expense must be paid weekly, and as he cannot always get the money at the Castle, he has been under the necessity of borrowing occasionally sums of money from Mr. Smith for the purpose; this statement he wishes to make, in consequence of Mr. Smith's evidence as to lending him money.

TUESDAY, 31st DECEMBER 1833.

Mr. *John Whitecroft* sworn, and examined.

Is a pawnbroker, above forty years. The fee to the marshal has not been increased in witness's time; the fee paid to him by witness was one shilling for each monthly return, viz., 12*s.* a year; that is all he pays, or ever did. Does generally make monthly returns of the number of pawns taken; the sum lent on them; it does not include a return of the articles sold, or the prices got for them; witness speaks only for himself. Pays 3*d.* a piece for all notices

notices of sales of articles pledged for less than 40*s.*, and 4*d.* for those over. Believes he (the marshal) serves the notices regularly; has heard he does. It is now a compounded sum, and has been for the last four or five years, no matter what the number of notices is. Keeps two offices now, and did keep three, and pays the same composition for each; it is 6*l.* now, it used to be 5*l.*

Sells generally at Bentley's. Bride-street is in the division in which witness is; has sold all his goods with him; has sold at Bentley's room when in Capel-street. Thinks he saves money by the composition for serving notices. Witness believes other pawnbrokers resorted to the practice of serving the notices themselves, about 10 or 15 years ago; believes this was done to bring the marshal to terms. There is not, to witness's knowledge, any officer of police peculiarly appointed to oversee the pawnbrokers; it is the business of all the officers to watch them. Remembers, some years ago, several pawnbrokers being fined for keeping open their offices at prohibited hours; it cost witness 10*l.* 10*s.* to assist in putting down the practice. Paid this fee to Mr. M'Kane, as counsel for the pawnbrokers, who joined in prosecuting those who violated the law, and in articles which he gave to persons employed to pawn goods with those who stood out, in order to their being prosecuted.

Handed spoons to Mr. Lynch, the peace-officer, to pawn; never got them back, or the money lent on them. The magistrates could not extend the hours. There never was, to witness's knowledge, any indulgence given to extend the hours to nine in the morning, or an hour later in the evening; knows that applications were made to the magistrates, and they refused to extend the hours. Believes the pawnbrokers do now open at nine o'clock in the morning, and keep open for an hour later; thinks the magistrates know it; they do not take steps to prevent it.

As to the monthly returns, makes them sometimes out; he has not done so for three months; has not been called on by the present marshal to make them.

Thinks the pawnbrokers proceeded against, got more regular; understood that it was always and is still at the risk of the pawnbrokers; if they open at nine, and keep open till six. Has decidedly within four years, heard of persons being fined for taking goods before 10 o'clock, but has not within two years.

Never lent money to any peace-officer; does not think they ever applied for money to him; never discounted bills for any peace-officer. Never gave any peace-officer any money, or any article or gratuity, except the articles given to pawn, as before stated.

Understands there is a society among the pawnbrokers; has never attended any of the meetings or dinners; has contributed to the fund; subscribes monthly. Does not know that others, to his knowledge, take any proceedings to enforce the pawnbroking laws. Cannot tell whether any of the peace-officers belong to the society, or dine with them. Cannot say whether they have any printed or written regulations. He always thought 10 o'clock not an inconvenient hour for pawnbrokers to open. The pawnbrokers are not now fining one another; has not heard of any complaints. Thinks the said club has been of advantage to them; they are not before the magistrates as formerly. Does not know that any person has been fined at the instance of the pawnbrokers belonging to that society, who did not belong to it. Has heard that there are not more than half-a-dozen who do not belong to this society. Has attended the auctions; thinks the goods sold which he sent there, have generally brought fair prices; has attended night sales of plate; and book sales, they are also at night.

Has attended other auctions as buyer. In his own opinion is against night sales, but conceives that the description of the goods sold at auction sales bring much greater prices than they would at other sales, because the auctioneer is obliged to give credit to the persons who buy, and who would not buy if they did not get such credit. Is sure they offer larger prices from getting credit. Thinks they offer larger prices than the public generally would give for such articles; the articles generally want repair.

BELFAST, 4th JANUARY 1834.

Henry Ferguson, Esq., Town Clerk, sworn, and examined.

WITNESS has received fees from pawnbrokers in this town, for getting licenses for them. Gets those licenses from Mr. John Judkin Butler, the city marshal of Dublin, who is entitled to grant the licenses under the Pawnbrokers' Act.

Witness, since he was appointed town clerk, has always applied to the city marshal of Dublin for the license.

The course is for witness to certify to the city marshal that the person requiring the license has entered into the necessary bonds, viz. the principal in 300*l.* and three securities for 100*l.* each, on which, on payment of the fee, the license comes down from Dublin; the bonds remain with the witness; the whole amount of fees, upon granting the certificate received by witness, is 2*l.* 18*s.* 4*d.*; for this fee witness fills up the bonds, and pays all postages to and from the city marshal; this is all that witness does at the time of granting the certificate; but he also collects the annual fees which the city marshal claims from the pawnbrokers,

brokers, without any charge to the pawnbroker or the city marshal. Witness conceives that he is paid by this fee for all after trouble.

The city marshal sends down the receipts for the annual fee, and witness collects. [Produces a receipt, copy as follows :—]

J. J. Butler. J. J. Butler.

By the Authority of Parliament.

No. 25.

(King's Arms)

Marshal, Dublin, Regr.

(City Arms)

23d Dec. 183

Received from Mr. Robert Patterson One Pound, the amount of my fees, and arrears for the returns of his office to this date.

(signed) *John Judkin Butler.*

N. B.—The above person not to be found.

Witness believes, that before his appointment, nearly all the bonds were lodged with the county treasurer, at least he never got up any from the late town clerk ; any he got were from the treasurer of the county ; and since witness's appointment, bonds have been lodged with him, which were not filled up by him, and for the lodging of which, he did not give any certificate ; upon them he made no charge.

Previously to the appointment of the present city marshal of Dublin, about a year since, it was the custom for persons in Belfast wanting licenses as pawnbrokers, to send up to the city marshal in Dublin the names of the persons who were to be their sureties, and then the city marshal used to give them licenses, without any certificate from witness ; and he does not know if the city marshal got any certificate from any other person of the bonds having been lodged with witness, but certainly not from him. Witness, however, never knew of any one to practise as a pawnbroker, whose bonds he had not in his possession. Witness does not know what the fee under the Act of Parliament is ; never looked into it. Witness took a somewhat smaller fee than his predecessor had been in the habit of claiming, but does not know what the amount of that fee was.

The annual fee charged by the city marshal, and paid by each of the pawnbrokers here, is 1*l.* and that is paid yearly in advance. This, in witness's opinion, is paid by agreement between the city marshal and the pawnbrokers, for the latter not being obliged to send up monthly returns, according to the Act ; witness does not know if they forward any returns to the city marshal.

These are the fees which witness collects for the city marshal without any charge. Never collected more than one pound in the year from any one pawnbroker. Some two or three persons in Belfast have two houses under the one license ; they paid no fee, or entered into no additional bonds on opening the second shop, to witness's knowledge ; one was Mr. Cunamon, who has resigned ; Mr. James Shields has done the same, and is now in business in the town ; witness does not remember any others ; witness has looked over his books to enable him to make a return of the fees received by him from pawnbrokers for the last five years, and finds that the number for that period was 20, three within the last year ; witness never makes any charge for new bonds, which are to be perfected in case of a widow, or any of the family following the trade after the death of the person who originally paid.

There are 33 pawnbrokers in Belfast, and witness has the bonds of all these persons in his possession ; no instance has occurred of witness being obliged to sue upon any of these bonds, or to deliver them to others to be sued upon.

A Mr. Aikin refused to pay the 1*l.* to the city marshal about a year since, but has since paid it ; does not know the ground on which he refused to pay it.

No objection was ever made to witness's fee ; they were optional. He always told them that the whole expense would be 8*l.*, including stamps of bonds, postages, witness's fee, and the city marshal's fee of one guinea for granting the license ; viz.

	£.	s.	d.	£.	s.	d.
Bond Stamps	4	–	–			
Fee to Marshal	1	1	–			
Postages, 1*s.* 9*d.* and 1*s.* 6*d.*	–	3	3	2	18	4
Town Clerk's fee	2	15	1			
	£. 8	–	–			

Never gave any receipt for this fee ; never got more than the 8*l.* altogether, nor never looked for more. Witness forwards the one guinea to the city marshal when he forwards the certificate.

Mr.

Mr. *James Shields* sworn, and examined.

Witness is a pawnbroker; produces his license, dated 5th August 1823. The bonds were prepared by Mr. Daniel, the town clerk; paid him 11 *l.* fee for all. It was on getting a second certificate (which witness produces) that he and his son opened a second shop of the same date, 5th August 1823; although of same date, the latter was not got for some months after the first. Witness pays 1 *l.* a year to the marshal of Dublin; the marshal wrote down some years ago to the pawnbrokers here, to make him certain returns, or pay 1 *l.* a year; the marshal ought legally to get monthly returns of what is done; it was a compromise of the strict letter of the law by the marshal for 1 *l.* a year. Witness has not made any returns since he began to pay this 1 *l.*; never knew of any returns having been made from the town, except one or two, about 12 or 14 years ago. Witness paid 30 *s.* for the second certificate; this 30 *s.* was sent to Dublin; there were other expenses, but in all much less than 11 *l.*

Witness did not enter into any second securities upon engaging in a new fine, and opening a second shop, so there are now two pawnbrokers' shops opened upon the security originally given for one. Witness wrote to Dublin to know if new securities should be given, and witness was told in answer by Stanley, the then town marshal, that if we sent 30 *s.*, there was no need of any second security. Witness thought this was legal, as every other in Belfast had two shops upon the one certificate.

CARRICKFERGUS, 6th January 1834.

Adam Cunningham, Town Clerk, sworn, and examined.

Witness grants certificates to the pawnbrokers, who look for licenses; the fee that witness gets is 1 *l.* 6 *s.* 8 *d.* for filling up the four bonds; this is the fee which witness thinks he is entitled to under the Act of Parliament; the pawnbrokers here do not pay any annual fee, to witness's knowledge, to the city marshal.

William Reid sworn, and examined.

Is a pawnbroker; for several years paid 1 *l.* to the city marshal of Dublin up to the last year, from 1821, when he set up business. Upon the marshal being changed, witness sent up only 12 *s.* by a post-office order, as that would be the exact amount of the postage of the twelve returns; stating at same time to the present city marshal, that if he did not take that, he would send the returns. When witness commenced business, he followed the example of all the other pawnbr oers, and paid his 1 *l.*, in order to avoid the monthly returns; in consequence, witness has never sent a return to the marshal since 1821. Witness, always in January, received a circular letter from the city marshal, calling upon him to send his dues, on which witness used to send the 1 *l.* post free. Witness wrote, in the first instance, to the city marshal, to learn whether he would wish to have the return accompanied with 1 *s.* each or the 1 *l.*; never received any answer until January next, when witness received a circular; thinks, that before the city marshal was changed, that two other pawnbrokers sent but 10 *s.* or 12 *s.* each, but no returns.

DUNDALK, 23d October 1833.

Mr. *James Fallan*, Town Clerk, sworn, and examined.

Has a salary of 20 *l.*, late Irish currency; has not any other emoluments, except fees on pawnbrokers' bonds, and except further, as witness recollects, when Mr. (Captain) Gordon was returned for the borough; he sent ten guineas to witness, which he understood was usually given at elections, and ten guineas to the sheriff. Witness holds the pawnbrokers' bonds as town clerk. The fees depend on the people themselves; some give 2 *l.*, some 3 *l.*; the Act of Parliament does not authorize so much. Does not know why the pawnbrokers double or treble the expense; never got less than 1 *l.*; has got 10 *l.*; never got more, that he recollects. When the pawnbrokers get the license, witness fills the bonds, and on executing the bonds, they pay the money; has never seen a license; they tell witness they have got the license, and bring the stamps to witness; witness fills the bonds, and goes with them to a magistrate to have the securities sworn. Witness does not pay the stamp duty out of what he receives. There is a general form of the bond, not deviated from. Witness claims a legal right to the fee; witness does not claim any sum in particular, it is merely optional with themselves. There are very few of them; recollects not above four obtaining licenses. There was once but one pawnbroker in Dundalk, as witness believes; there are now but three.

The pawnbrokers' bonds are given to the town clerk in his own name. Witness never thought about it, that, if an action were to be brought on the bond, it should be

in his name; the pawnbroker and three of his friends sign the bonds. Witness has always given the pawnbrokers a certificate in a form tantamount to that read to him from 26th Geo. 3, c. 43, s. 39. The money of 1*l.* or upwards includes all; witness has no second fee; receives no fees for pawnbrokers' auctions. None have got licenses or bonds from witness since he became town clerk.

(A true copy.)

(signed) *Geo. Mathews.*

London, 22d May 1838.

BYE LAWS, with Rules and Regulations for the Government of the Mont de Piete, or Charitable Pawn Office, *Limerick*; as revised and approved by the consulting Barrister of the Loan Fund Board, Dublin Castle, in terms of the Act 6 & 7 Will. IV.

The principle upon which this establishment is formed, is to relieve the temporary wants of the poor and industrious, by advances of money upon pledges, guarding them from rapacious and usurious exactions; and that the profits, after defraying the expenses of management, and paying the interest of the capital employed, shall be applied to maintain and extend the benefits of Barrington's Hospital and City of Limerick Infirmary, the funds of which being thus so much increased, would enable the Governors to extend the sphere of its utility, not only by giving relief and comfort to the sick and indigent, but by assisting them after their recovery, or during their convalescence.

The objects of the "Mont de Piété" are therefore purely philanthropic.

The direction of the affairs of this establishment shall be vested in a committee, consisting of—

The Lord Bishop of Limerick.
The Roman Catholic Bishop of Limerick.
The two Members for the City.
The Mayor (ex officio).
The Chief Magistrate of Police; and
Ten other persons chosen from among the body of debenture holders, and to be elected annually.

1. The members of such committee for the time being shall be named, and exclusively considered the managers or directors, and shall also be the trustees of the funds and properties of the establishment.
2. Any three of the above-named committee shall form a quorum for the despatch of all business connected with the establishment.
3. A general meeting of the proprietors shall be holden once every year.
4. The committee of direction to meet once in every week to receive the reports, examine and balance the cash, inspect the magazines, and transact such other business as may come before them.
5. All general and special general meetings called by the directors shall be holden at such place as the directors shall appoint, and the chair shall be taken at the hour to be appointed by the directors for that purpose, provided the requisite number of proprietors be present.
6. The directors going out of office on the day of the annual meeting, shall be considered as in office, until the conclusion of the meeting at which their successors shall have been elected.
7. At the annual general meetings the order of business shall be as follows:—

1. The chairman, or deputy chairman, shall take the chair, or, in their absence, a chairman shall be chosen.
2. The minutes of the proceedings of the last annual meeting, and of all intermediate meetings, shall be read.
3. The report of the receipts and disbursements of the establishment, as audited at the weekly meetings of the committee of direction, shall be read aloud by the secretary, and submitted to the meeting for their approval.
4. The chairman shall state the names of the persons proposed to be elected to serve on the committee for the ensuing year, or of those proposed to be re-elected; and if no opposition be made, the persons so proposed as new members, or to be re-elected, shall be deemed and declared to be elected.
5. If any opposition be made, the election shall be determined by a show of hands, unless a ballot be demanded by any ten proprietors present; in which case, the chairman shall appoint two secretaries from among the proprietors present to superintend the ballot during its progress, and to report the result to the meeting.
6. Any business which the directors shall then think proper to introduce, shall be entered upon, and discussed, and the opinion of the meeting, if necessary, taken thereon.

8. After

8. After all business introduced by the directors shall have been disposed of, it shall be competent for any proprietor to make any proposition which shall be legally entertained at said meeting, and to give any notice he may think fit.

9. In case a debate shall arise upon any subject, no proprietor shall be permitted to speak more than once upon the question, except in explanation; but the mover of any resolution shall be allowed to speak a second time in reply, after which, the debate shall be closed.

10. In case the meeting shall be adjourned, the business to be transacted at the adjourned meeting shall be specified previously to the adjournment taking place, and shall be entered on the minutes.

11. In case of dispute, doubt or difficulty, an appeal shall be made to the chairman, whose decision shall be final.

12. At all special general meetings the business shall be conducted in the same manner as at the annual meetings.

13. At all adjourned general meetings the business to be transacted shall be taken in the order in which it had been entered on the minutes of the meeting from which the adjournment took place; and all debates shall be done in the same manner; and the powers of the chairman shall be the same as at the annual general meetings.

14. At any general meeting, or at any adjournment thereof, no vote by proxy shall be admitted, unless such proxy shall have been sent to the secretary before 12 o'clock on the day before that on which such general meeting, or such adjournment thereof, shall be appointed to be held.

15. If two proxies be tendered for the same person, neither of them shall be received.

16. Any proxy may, at the pleasure of the proprietor giving the same, be revoked by letter, addressed to the secretary, and to be received by him the day before the meeting takes place.

17. No motion made by any proprietor for the repeal or alteration of any existing bye-law, or for enacting any new bye-law, shall be entertained at any general meeting, unless the same shall have been given at some previous general meeting by the proprietor intending to move the same, or unless notice in writing, specifying the intended alteration, shall have been given to the board of direction by the proprietor intending to move the same, 21 days at least before the day on which such general meeting shall be held.

18. If the repeal or alteration of any existing bye-law, or the enactment of any new bye-law, shall be proposed by the committee of direction, such repeal or alteration, or such new bye-law, if carried at the meeting at which it shall have been proposed, shall be binding without confirmation; but if proposed by any proprietor, the same shall not be binding, unless confirmed at a subsequent general meeting to be held for the purpose, at the distance of not less than three weeks from preceding general meeting, which meeting shall appoint the time for holding the second meeting.

19. Notice of any motion for the repeal or alteration of any existing bye-law, or the enactment of any new bye-law, whether originating with the directors or otherwise, shall be fixed up in the committee-room fourteen days at least before the meeting at which such motion is intended to be made; and if it shall be necessary to confirm such repeal or alteration, or such new bye-law, notice thereof shall in like manner be fixed up in the committee-room.

20. In case any irregularity shall occur in the convening or holding any general meeting, or in any election, or other proceedings at any such meeting, and the same shall not be publicly noticed and objected to, all proceedings of such meetings shall be of the same force and validity as if no such irregularity had occurred; but if an irregularity shall be publicly noticed and objected to, the meeting shall decide thereon, and such decision shall be final and conclusive.

Committee of Direction.

21. Any director who may be desirous of vacating his office must send his resignation, in writing, to the committee of direction; and upon the acceptance of such resignation by the committee, and the entry of same on their minutes by the secretary, the office of said director shall become vacant, but not before.

22. The name of any person intended to be proposed as a director must be transmitted to the secretary 21 days at least before the day of election; and no person shall be eligible as a director whose name shall not have been so transmitted.

23. The directors may make such regulations, not inconsistent with the Act or bye-laws, as may appear to them expedient, which shall have the force of bye-laws until the next annual general meeting.

24. The directors may, if they see occasion, suspend any of their body from acting as a member of their committee; provided nine directors at least be present at the meeting at which such suspension shall be resolved upon, and that seven at least of the directors present consent thereto.

25. Whenever the directors shall, in the manner hereinbefore stated, have suspended any of their body from acting as a director, they shall immediately convene a special general meeting of the proprietors, to be held within 21 days next thereafter; which meeting shall have full power to remove from his office the director so suspended, if they shall think it expedient to do so, or otherwise to act under the circumstances as they shall think fit.

26. The directors shall not, unless by the order or under the authority of a general meeting, suffer the common seal of the Mont de Piété to be affixed to any instrument, excepting to debentures or other acknowledgments for money borrowed on account of the establishment,

establishment, or for other purposes immediately connected with it, until such instrument shall have been read and approved of at two successive meetings of the committee of direction, and a copy of every such instrument to which the common seal has been affixed shall be entered in a book to be kept by the secretary for that purpose.

27. Minutes of the proceedings of every meeting of the directors shall be taken by the secretary, or, in case of his absence, by some other person whom the chairman shall appoint for the occasion; which minutes shall afterwards be copied fairly into the minute-book of the establishment, and signed by the chairman of that and the following meeting, and such minute-book shall be required to be produced at any and every general meeting.

28. The debentures-book shall for all the purposes of the Mont de Piété be considered as containing a correct list of the proprietors, and of their respective residences, and of the number of shares to which they are respectively entitled; and it shall be incumbent on each proprietor to ascertain that his name, residence, and the number of shares to which he is entitled, are correctly entered in the debenture-book.

29. Every letter relating to any matter concerning the Mont de Piété, which shall be sent by the secretary in name of the directors, or by the directors themselves, to any proprietor by the post, addressed to the said proprietor according to the name and residence entered in the debenture-book, shall be considered to have reached him, and he shall be deemed to have sufficient notice of the contents of said letter, and shall be bound thereby.

30. The committee of direction shall possess supreme control of all the affairs of the Mont de Piété.

31. They only shall have the power of signing debentures, receipts, promissory notes, or other documents, as acknowledgments for money borrowed for the use of the establishment, and shall sign cheques upon the Bank account.

32. The committee shall meet one day in each week to audit the accounts of the past week; examine and balance the cash on hand; sign cheques for what may be required for the current week; and examine the state of the magazines.

33. Any three members of the committee of direction, who are *bonâ fide* shareholders in the capital stock of the Mont de Piété, shall form a quorum for the despatch of all business that may be brought before them.

Internal Management.

34. The internal management of the affairs of the Mont de Piété shall be vested in two responsible persons, viz. a conductor, who must be a licensed pawnbroker, and an inspector and secretary.

The conductor shall have the sole charge and responsibility of valuing all goods offered in pledge, and shall also be held responsible for all goods stored in the magazines of the establishment.

35. He shall receive from the committee, on each day of their weekly meeting, or from the inspector and secretary, acting as their organ, and on their behalf, cheques upon the Bank account, for such amount of cash as he thinks necessary for the pledging of the current week; and shall have charge of all books kept to record the pledging and releasing of the establishment.

36. The duties of the inspector and secretary shall consist in a general superintendence of the affairs of the establishment, as representing the committee of direction in a daily inspection of its various departments and branches; in conducting all correspondence exclusively in the name of the committee of direction, and in the charge of all books kept to record the finance, and general arrangements of the establishment.

37. These two officers shall daily sign a return of the operations of the establishment, showing the balance of cash on hand at the commencement and close of each day, together with the number of pledges received, renewed and released; and from which daily return the inspector and secretary shall be required to furnish to the committee of direction, on each day of their weekly meeting, or at such other times as he may be called upon to do so, a return of the weekly operations of the establishment, the balance of cash on hand, and the condition of the magazines.

38. These two officers shall have the nomination of all such assistants as they consider necessary and competent to assist them in the discharge of their respective duties, which assistants shall be subject to the approval of the committee, and shall be paid by the establishment.

39. The salaries of these two officers shall be fixed by the committee of direction, and the salaries and wages of the persons employed under them shall be suggested by the head of each department respectively, and confirmed by the directors.

40. In case of the unavoidable absence of any of the persons employed under either of the above-named officers, from sickness, the same must be officially notified to the head of their department, and, if required, a surgeon's certificate must be furnished to the inspector and secretary, to be laid before the committee of direction at their first meeting.

41. If any of the assistants in the establishment be desirous of obtaining leave of absence on their own private business, such leave must be obtained from the head of their department, before the applicant can give up his charge.

Capital.

42. The capital requisite to work the Mont de Piété, shall be raised by the issue of debentures, varying in amount from 5 *l.* to 100 *l.* and upwards; or by such other means as may appear to the committee of direction most advisable for the welfare of the establishment.

43. Such persons as may be desirous of investing money in the capital stock of the Mont de Piété, shall be required to lodge the same with the Limerick branch of the Provincial Bank of Ireland, to the credit of an account which has been opened there, in name of the committee of direction, and called "Mont de Piété Account."

44. Persons lodging money to the credit of said account, will receive from the manager of the bank receipts for same, in name of the committee of direction; which receipts, on being presented to the inspector and secretary of the Mont de Piété, will entitle the holders to receive debentures, signed by the directors, countersigned by the secretary, and sealed with the common seal of the establishment, bearing interest at the rate of 6 *l.* per cent. per annum, from the respective dates thereof (which debentures are transferable, without any expense, in the terms of the Loan Fund Act), and which debentures shall be payable to the lenders of money, at the expiration of three months, after due notice shall have been served upon the directors to that effect.

45. With a view to the election of future committees to manage the affairs of the Limerick Mont de Piété, every subscriber of 50 *l.* to the capital stock of the establishment shall possess one vote, and a further vote for every additional 50 *l.*; provided, however, that no subscriber shall have more than five votes, whatever amount he may have invested in the funds of the Mont de Piété.

46. In the election of future committees, any subscriber of 50 *l.* shall be eligible to serve on the committee of direction.

47. The directors shall possess the power of issuing debentures to such persons as may have lent money to erect the buildings of the Mont de Piété, or who may have furnished articles for the use of the establishment, and to the officers and servants of the establishment, for their salaries or wages; provided that such arrangements be mutually agreed upon between the directors and the respective parties above named; and the directors shall moreover have the power of paying off the said debentures, whenever it may appear expedient to them to do so.

Rate of Interest.

48. The rate of interest to be paid by the Mont de Piété for money borrowed for its use, shall not, under any circumstances, exceed the legal rate of interest in Ireland, and shall by every possible means be kept as low as possible.

49. All loans made to the Mont de Piété shall be made on the security of the capital stock, funds and properties, and of the buildings.

Operations of the Establishment.

50. The operations of the Mont de Piété shall consist in lending money on pledges, which are to be lodged in the magazines, as security for such advances, and which advances shall be regulated according to the appointment of the conductor, or of the assistant valuators, approved of by him, and sanctioned by the committee of direction.

51. No pledge shall be received, if the smallest ground of suspicion exist of its having been dishonestly obtained.

52. Every pledger, if required to do so, must get some respectable householder to guarantee that the property offered in pledge has come into his hands by honest means.

53. The limit of time for which advances are to be made shall be one year, reserving to the pledger the right of redeeming the property at any period before the expiration of said year, or of renewing the transaction at its close.

54. In both the above-mentioned cases, the whole amount of interest due on the advance must be paid before a fresh engagement can be entered into between the establishment and the pledger.

55. The shortest period for which interest shall be charged by the Mont de Piété shall be one month.

56. The amount to be advanced on the various descriptions of property shall be regulated as follows: on all articles or jewels of gold or silver, four-fifths of the actual value shall be lent; and on every other description of property, as near as possible to the two-thirds of their appraised value.

57. The amount agreed to be advanced shall be immediately paid in cash to the pledger, and at the same time a ticket shall be given to him, recording the period for which the advance is made, the name and residence of the pledger, the amount of money lent, the description of property pledged, and the limit of time for returning the overplus.

58. In the event of the ticket being lost, the pledger must give immediate notice of same to the conductor, who will, if the property has not been already released, give the pledger a stop-ticket, which will secure the property from being illegally released.

59. If the pledger be desirous of renewing the engagement at the termination of the first period, or one year, the whole amount of interest due upon the advance must first be paid, and the article re-valued; when, if any deterioration is found to have taken place, and which is not attributable to the establishment, the pledger must submit to pay the estimated amount of such deterioration before a renewal of the transaction can take place.

Sales of Pledges.

60. All pledges that are unredeemed at the expiration of the period agreed upon shall be sold, to reimburse the establishment for the sums lent, and the interest due upon same, and the overplus (if any) shall be placed to the credit of the pledger.

61. Under no circumstances whatever can any property be exposed for sale at the auctions of the Mont de Piété, unless it shall have been pledged with the establishment, in conformity with all the foregoing regulations.

62. The conductor shall direct the sale of such goods to take place as come within the meaning of the agreement as to the period for which they were pledged, according to a statement to be drawn up and signed by the inspector and secretary himself.

63. The auctions of the Mont de Piété must be announced at least 14 days before they are to take place, by public advertisements; and, if it should be deemed necessary, printed catalogues shall be distributed, giving a particular description of the articles to be sold.

64. If opposition be made to the sale of any article at the auctions of the Mont de Piété, it cannot prevent the sale of such article taking place, nor is any other notice to be deemed necessary to the opposing party than what is given by the public advertisements; reserving, however, to the opposing party the right of stating his claim to the overplus that may accrue on the sale of the article after all the claims of the Mont de Piété shall have been satisfied.

65. The auctions shall take place under the immediate direction of the conductor, and of such auctioneer or appraiser as he may see fit to select, under the sanction of the committee of direction.

66. The commission to the auctioneer shall be paid by the purchaser.

67. The rate of such commission shall not exceed five per cent. on the amount the article sold for.

68. Besides the usual charge above named, there shall also be an additional charge of one per cent., in the event of any additional expense being incurred in advertising the property in question, and which additional one per cent. shall be deducted from the overplus accruing to the owner.

69. Every purchaser must immediately pay down the full amount of his purchase, with all charges; and in default of so doing, the article shall be again immediately put up to sale at the risk of the purchaser.

70. At the termination of each day's sale, the auctioneer shall furnish an account of the goods sold during the day, stating the amount for which each article was sold; and the cashier of the auction shall furnish his cheque account, which must correspond with the auctioneer's account; and all cash received during the day for goods sold must be paid into the hands of the conductor before five o'clock on each day of sale.

71. The payment of such overplus as may accrue on the sale of any article pledged at the Mont de Piété shall be made, on the production of the original ticket given to the pledger.

72. Any overplus that remains unclaimed for two years from the date of the ticket shall then become the property of the establishment, in terms of the notice expressed on the ticket.

Branches.

73. The foregoing bye-laws and rules and regulations shall be applicable to every branch of the Limerick Mont de Piété.

74. All goods taken at the branches of the Mont de Piété must be deposited in the magazines of the establishment every evening; and an account must be furnished by the conductor of each branch of the amount of money he may have received and paid during the day; and the balance of cash in his hands must be paid to the conductor of the establishment before the daily return be signed by the inspector and secretary and himself.

Directors, { *J. N. Russell,*
Philip M'Ardell.

Archibald Douglas, Inspector and Secretary.

TABLE, No. 1.

Shewing the DIFFERENCE between the INTEREST charged by PAWNBROKERS in *England* and *Ireland*, together with the CHARGES made at the *Mont de Piété, Limerick*, a Charitable Pawn Office, established by MATTHEW BARRINGTON, Esq., for the Support of BARRINGTON'S HOSPITAL.

Amount of Money Lent.	FOR ONE MONTH.							FOR TWO MONTHS.						
	In Ireland.			In England.			Mont de Piété, Limerick.	In Ireland.			In England.			Mont de Piété, Limerick.
	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.
£. s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1	– –½	– 1	– 1½	– –½	– –	– –½	– –¼	– 1	– 1	– 2	– 1	– –	– 1	– –½
2	– 1	– 1	– 2	– –½	– –	– –½	– –½	– 2	– 1	– 3	– 1	– –	– 1	– 1
3	– 1	– 1	– 2	– –½	– –	– –½	– –½	– 2	– 1	– 3	– 1	– –	– 1	– 1
4	– 1½	– 1	– 2½	– –¾	– –	– –¾	– 1	– 3	– 1	– 4	– 1½	– –	– 1½	– 2
5	– 1½	– 1	– 2½	– 1	– –½	– 1½	– 1	– 3	– 1	– 4	– 2	– –½	– 2½	– 2
6	– 2	– 1	– 3	– 1	– –½	– 1½	– 1½	– 4	– 1	– 5	– 2	– –½	– 2½	– 3
7	– 2	– 1	– 3	– 1½	– –½	– 1½	– 1½	– 4	– 1	– 5	– 2½	– –½	– 3	– 3
8	– 2½	– 1	– 3½	– 1½	– –½	– 2	– 1½	– 5	– 1	– 6	– 3	– –½	– 3½	– 3
9	– 2½	– 1	– 3½	– 1¾	– –½	– 2¼	– 2	– 5	– 1	– 6	– 3½	– –½	– 4	– 4
10	– 3	– 2	– 5	– 2	– 1	– 3	– 2	– 6	– 2	– 8	– 4	– 1	– 5	– 4
11	– 3	– 2	– 5	– 2	– 1	– 3	– 2½	– 6	– 2	– 8	– 4	– 1	– 5	– 5
12	– 3½	– 2	– 5½	– 2¼	– 1	– 3½	– 2½	– 7	– 2	– 9	– 4½	– 1	– 5½	– 5
13	– 3½	– 2	– 5½	– 2½	– 1	– 3½	– 2½	– 7	– 2	– 9	– 5	– 1	– 6	– 5
14	– 4	– 2	– 6	– 2¾	– 1	– 3¾	– 3	– 8	– 2	– 10	– 5½	– 1	– 6½	– 6
15	– 4	– 2	– 6	– 3	– 1	– 4	– 3	– 8	– 2	– 10	– 6	– 1	– 7	– 6
16	– 4½	– 2	– 6½	– 3	– 1	– 4	– 3½	– 9	– 2	– 11	– 6	– 1	– 7	– 7
17	– 4½	– 2	– 6½	– 3½	– 1	– 4½	– 3½	– 9	– 2	– 11	– 6½	– 1	– 7½	– 7
18	– 4½	– 2	– 6½	– 3½	– 1	– 4½	– 3½	– 9	– 2	– 11	7	– 1	– 8	– 7
19	– 5	– 2	– 7	– 3¾	– 1	– 4¾	4	– 10	– 2	1 –	– 7½	– 1	– 8½	– 8
1 – –	– 5	– 2	– 7	– 4	– 2	– 6	– 4	– 10	– 2	1 –	– 8	– 2	– 10	– 8
2 – –	10	– 4	1 2	– 8	– 2	– 10	– 8	1 8	– 4	2 –	1 4	– 2	1 6	1 4
5 – –	2 1	– 4	2 5	1 3	– 4	1 7	1 8	4 2	– 4	4 6	2 6	– 4	2 10	3 4

Amount of Money Lent.	FOR THREE MONTHS.							FOR FOUR MONTHS.						
	In Ireland.			In England.			Mont de Piété, Limerick.	In Ireland.			In England.			Mont de Piété, Limerick.
	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.
£. s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1	– 1½	– 1	– 2½	– 1½	– –	– 1½	– –¾	– 2	– 1	– 3	– 2	– –	– 2	– 1
2	– 3	– 1	– 4	– 1½	– –	– 1½	– 1½	– 4	– 1	– 5	– 2	– –	– 2	– 2
3	– 3	– 1	– 4	– 1½	– –	– 1½	– 1½	– 4	– 1	– 5	– 2	– –	– 2	– 2
4	– 4½	– 1	– 5½	– 2¼	– –	– 2¼	– 3	– 6	– 1	– 7	– 3	– –	– 3	– 4
5	– 4½	– 1	– 5½	– 3	– –½	– 3½	– 3	– 6	– 1	– 7	– 4	– –½	– 4½	– 4
6	– 6	– 1	– 7	– 3	– –½	– 3½	– 4½	– 8	– 1	– 9	– 4	– –½	– 4½	– 6
7	– 6	– 1	– 7	– 3¾	– –½	– 4¼	– 4½	– 8	– 1	– 9	– 5	– –½	– 5½	– 6
8	– 7½	– 1	– 8½	– 4½	– –½	– 5	– 4½	– 10	– 1	– 11	– 6	– –½	– 6½	– 6
9	– 7½	– 1	– 8½	– 5¼	– –½	– 5¾	– 6	– 10	– 1	– 11	– 7	– –½	– 7½	– 8
10	– 9	– 2	– 11	– 6	– 1	– 7	– 6	1 –	– 2	1 2	– 8	– 1	– 9	– 8
11	– 9	– 2	– 11	– 6	– 1	– 7	– 7½	1 –	– 2	1 2	– 8	– 1	– 9	– 10
12	– 10½	– 2	1 –½	– 6¾	– 1	– 7¾	– 7½	1 2	– 2	1 4	– 9	– 1	– 10	– 10
13	– 10½	– 2	1 –½	– 7½	– 1	– 8½	– 7½	1 2	– 2	1 4	– 10	– 1	– 11	– 10
14	1 –	– 2	1 2	– 8¼	– 1	– 9¼	– 9	1 4	– 2	1 6	– 11	– 1	1 –	1 –
15	1 –	– 2	1 2	– 9	– 1	– 10	– 9	1 4	– 2	1 6	1 –	– 1	1 1	1 –
16	1 1½	– 2	1 3½	– 9	– 1	– 10	– 10½	1 6	– 2	1 8	1 –	– 1	1 1	1 2
17	1 1½	– 2	1 3½	– 9¾	– 1	– 10¾	10½	1 6	– 2	1 8	1 1	– 1	1 2	1 2
18	1 1½	– 2	1 3½	– 10½	– 1	– 11½	– 10½	1 6	– 2	1 8	1 2	– 1	1 3	1 2
19	1 3	– 2	1 5	– 11¼	– 1	1 –¼	1 –	1 8	– 2	1 10	1 3	– 1	1 4	1 4
1 – –	1 3	– 2	1 5	1 –	– 1	1 1	1 –	1 8	– 2	1 10	1 4	– 2	1 6	1 4
2 – –	2 6	– 4	2 10	2 –	– 2	2 2	2 –	3 4	– 4	3 8	2 8	– 2	2 10	2 8
5 – –	6 3	– 4	6 7	3 9	– 4	4 1	5 –	8 4	– 4	8 8	5 –	– 4	5 4	6 8

J. W. H. Haynes.

TABLE No. 2.

Showing the DIFFERENCE between the INTEREST charged by PAWNBROKERS in *England* and *Ireland*, together with thCHARGES made at the *Mont de Piété, Limerick*, a Charitable Pawn Office, established by MATTHEW BARRINGTON, Esq., for the Support of BARRINGTON'S HOSPITAL.

Amount of Money Lent.	FOR FIVE MONTHS.							FOR SIX MONTHS.						
	In Ireland.			In England.			Mont de Piété, Limerick.	In Ireland.			In England.			Mont de Piété, Limerick.
	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.
£. s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
– 1 –	– 2½	– 1	– 3½	– 2½	– –	– 2½	– 1¼	– 3	– 1	– 4	– 3	– –	– 3	– 1½
– 2 –	– 5	– 1	– 6	– 2½	– –	– 2½	– 2½	– 6	– 1	– 7	– 3	– –	– 3	– 3
– 3 –	– 5	– 1	– 6	– 2½	– –	– 2½	– 2½	– 6	– 1	– 7	– 3	– –	– 3	– 3
– 4 –	– 7½	– 1	– 8½	– 3¾	– –	– 3¾	– 5	– 9	– 1	– 10	– 4½	– –	– 4½	– 6
– 5 –	– 7½	– 1	– 8½	– 5	– –½	– 5½	– 5	– 9	– 1	– 10	– 6	– –½	– 6½	– 6
– 6 –	– 10	– 1	– 11	– 5	– –½	– 5½	– 7½	1 –	– 1	1 1	– 6	– –½	– 6½	– 9
– 7 –	– 10	– 1	– 11	– 6¼	– –½	– 6¾	– 7½	1 –	– 1	1 1	– 7½	– –½	– 8	– 9
– 8 –	1 –½	– 1	1 1½	– 7½	– –½	– 8	– 7½	1 3	– 1	1 4	– 9	– –½	– 9½	– 9
– 9 –	1 –½	– 1	1 1½	– 8¾	– –½	– 9¼	– 10	1 3	– 1	1 4	– 10½	– –½	– 11	1 –
– 10 –	1 3	– 2	1 5	– 10	– 1	– 11	– 10	1 6	– 2	1 8	1 –	– 1	1 1	1 –
– 11 –	1 3	– 2	1 5	– 10	– 1	– 11	1 –½	1 6	– 2	1 8	1 –	– 1	1 1	1 3
– 12 –	1 5½	– 2	1 7½	– 11¼	– 1	1 –½	1 –½	1 9	– 2	1 11	1 1½	– 1	1 2½	1 3
– 13 –	1 5½	– 2	1 7½	1 –½	– 1	1 1½	1 –½	1 9	– 2	1 11	1 3	– 1	1 4	1 3
– 14 –	1 8	– 2	1 10	1 1¾	– 1	1 2¾	1 3	2 –	– 2	2 2	1 4½	– 1	1 5½	1 6
– 15 –	1 8	– 2	1 10	1 3	– 1	1 4	1 3	2 –	– 2	2 2	1 6	– 1	1 7	1 6
– 16 –	1 10½	– 2	2 –½	1 3	– 1	1 4	1 5½	2 3	– 2	2 5	1 6	– 1	1 7	1 9
– 17 –	1 10½	– 2	2 –½	1 4½	– 1	1 5¼	1 5½	2 3	– 2	2 5	1 7½	– 1	1 8½	1 9
– 18 –	1 10½	– 2	2 –½	1 5½	– 1	1 6½	1 5½	2 3	– 2	2 5	1 9	– 1	1 10	1 9
– 19 –	2 1	– 2	2 3	1 6¾	– 1	1 7¾	1 8	2 6	– 2	2 8	1 10½	– 1	1 11½	2 –
1 – –	2 1	– 2	2 3	1 8	– 2	1 10	1 8	2 6	– 2	2 8	2 –	– 2	2 2	2 –
2 – –	4 2	– 4	4 6	3 4	– 2	3 6	3 4	5 –	– 4	5 4	4 –	– 2	4 2	4 –
5 – –	10 5	– 4	10 9	6 3	– 4	6 7	8 4	12 6	– 4	12 10	7 6	– 4	7 10	10 –

Amount of Money Lent.	FOR SEVEN MONTHS.							FOR EIGHT MONTHS.						
	In Ireland.			In England.			Mont de Piété, Limerick.	In Ireland.			In England.			Mont de Piété, Limerick.
	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.
£. s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
– 1 –	– 3½	– 1	– 4½	– 3½	– –	– 3½	– 1¾	– 4	– 1	– 5	– 4	– –	– 4	– 2
– 2 –	– 7	– 1	– 8	– 3½	– –	– 3½	– 3½	– 8	– 1	– 9	– 4	– –	– 4	– 4
– 3 –	– 7	– 1	– 8	– 3½	– –	– 3½	– 3½	– 8	– 1	– 9	– 4	– –	– 4	– 4
– 4 –	– 10½	– 1	– 11½	– 5¼	– –	– 5¼	– 7	1 –	– 1	1 1	– 6	– –	– 6	– 8
– 5 –	– 10½	– 1	– 11½	– 7	– –½	– 7½	– 7	1 –	– 1	1 1	– 8	– –½	– 8½	– 8
– 6 –	1 2	– 1	1 3	– 7	– –½	– 7½	– 10½	1 4	– 1	1 5	– 8	– –½	– 8½	1 –
– 7 –	1 2	– 1	1 3	– 8½	– –½	– 9¼	– 10½	1 4	– 1	1 5	– 10	– –½	– 10½	1 –
– 8 –	1 5½	– 1	1 6½	– 10½	– –½	– 11	– 10½	1 8	– 1	1 9	1 –	– –½	1 –½	1 4
– 9 –	1 5½	– 1	1 6½	1 –¼	– –½	1 –¾	1 2	1 8	– 1	1 9	1 2	– –½	1 2½	1 4
– 10 –	1 9	– 2	1 11	1 2	– 1	1 3	1 2	2 –	– 2	2 2	1 4	– 1	1 5	1 4
– 11 –	1 9	– 2	1 11	1 2	– 1	1 3	1 5½	2 –	– 2	2 2	1 4	– 1	1 5	1 8
– 12 –	2 –½	– 2	2 2½	1 3¾	– 1	1 4¾	1 5½	2 4	– 2	2 6	1 6	– 1	1 7	1 8
– 13 –	2 –½	– 2	2 2½	1 5½	– 1	1 6½	1 5½	2 4	– 2	2 6	1 8	– 1	1 9	1 8
– 14 –	2 4	– 2	2 6	1 7¼	– 1	1 8½	1 9	2 8	– 2	2 10	1 10	– 1	1 11	2 –
– 15 –	2 4	– 2	2 6	1 9	– 1	1 10	1 9	2 8	– 2	2 10	2 –	– 1	2 1	2 –
– 16 –	2 7½	– 2	2 9½	1 9	– 1	1 10	2 –½	3 –	– 2	3 2	2 –	– 1	2 1	2 –
– 17 –	2 7½	– 2	2 9½	1 10¾	– 1	1 11¾	2 –½	3 –	– 2	3 2	2 2	– 1	2 3	2 4
– 18 –	2 7½	– 2	2 9½	2 –½	– 1	2 1½	2 –½	3 –	– 2	3 2	2 4	– 1	2 5	2 4
– 19 –	2 11	– 2	3 1	2 2¼	– 1	2 3¼	2 4	3 4	– 2	3 6	2 6	– 1	2 7	2 8
1 – –	2 11	– 2	3 1	2 4	– 2	2 6	2 4	3 4	– 2	3 6	2 8	– 2	2 10	2 8
2 – –	5 10	– 4	6 2	4 8	– 2	4 10	4 8	6 8	– 4	7 –	5 4	– 2	5 6	5 4
5 – –	14 7	– 4	14 11	8 9	– 4	9 1	11 8	16 8	– 4	17 –	10 –	– 4	10 4	13 4

J. W. H. Haynes.

TABLE, No. 3.

Showing the DIFFERENCE between the INTEREST charged by PAWNBROKERS in *England* and *Ireland*, together with the CHARGES made at the *Mont de Piété, Limerick*, a Charitable Pawn Office, established by MATTHEW BARRINGTON, Esq., for the Support of BARRINGTON'S HOSPITAL.

Amount of Money Lent.	FOR NINE MONTHS.							FOR TEN MONTHS.						
	In Ireland.			In England.			Mont de Piété, Limerick.	In Ireland.			In England.			Mont de Piété, Limerick.
	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.
£ s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1 –	– 4½	– 1	– 5½	– 4½	– –	– 4½	– 2¼	– 5	– 1	– 6	– 5	– –	– 5	– 2½
2 –	– 9	– 1	– 10	– 4½	– –	– 4½	– 4½	– 10	– 1	– 11	– 5	– –	– 5	– 5
3 –	– 9	– 1	– 10	– 4½	– –	– 4½	– 4½	– 10	– 1	– 11	– 5	– –	– 5	– 5
4 –	1 1½	– 1	1 2½	– 6¾	– –	– 6¾	– 9	1 3	– 1	1 4	– 7½	– –	– 7½	– 10
5 –	1 1½	– 1	1 2½	– 9	– –¼	– 9½	– 9	1 3	– 1	1 4	– 10	– –½	– 10½	– 10
6 –	1 6	– 1	1 7	– 9	– –½	– 9½	1 1½	1 8	– 1	1 9	– 10	– –½	– 10½	1 3
7 –	1 6	– 1	1 7	– 11¼	– –½	– 11¾	1 1½	1 8	– 1	1 9	1 –½	– –½	1 1	1 3
8 –	1 10½	– 1	1 11½	1 1½	– –½	1 2	1 1½	2 1	– 1	2 2	1 3	– –½	1 3½	1 3
9 –	1 10½	– 1	1 11½	1 3¾	– –½	1 4¼	1 6	2 1	– 1	2 2	1 5½	– –½	1 6	1 8
10 –	2 3	– 2	2 5	1 6	– 1	1 7	1 6	2 6	– 2	2 8	1 8	– 1	1 9	1 8
11 –	2 3	– 2	2 5	1 6	– 1	1 7	1 10½	2 6	– 2	2 8	1 8	– 1	1 9	2 1
12 –	2 7½	– 2	2 9½	1 8¼	– 1	1 9¼	1 10½	2 11	– 2	3 1	1 10½	– 1	1 11½	2 1
13 –	2 7½	– 2	2 9½	1 10½	– 1	1 11½	1 10½	2 11	– 2	3 1	2 1	– 1	2 2	2 1
14 –	3 –	– 2	3 2	2 –¾	– 1	2 1¾	2 3	3 4	– 2	3 6	2 3½	– 1	2 4½	2 6
15 –	3 –	– 2	3 2	2 3	– 1	2 4	2 3	3 4	– 2	3 6	2 6	– 1	2 7	2 6
16 –	3 4½	– 2	3 6½	2 3	– 1	2 4	2 7½	3 9	– 2	3 11	2 6	– 1	2 7	2 11
17 –	3 4½	– 2	3 6½	2 5½	– 1	2 6½	2 7½	3 9	– 2	3 11	2 8½	– 1	2 9½	2 11
18 –	3 4½	– 2	3 6½	2 7½	– 1	2 8½	2 7½	3 9	– 2	3 11	2 11	– 1	3 –	2 11
19 –	3 9	– 2	3 11	2 9¾	– 1	2 10¾	3 –	4 2	– 2	4 4	3 1½	– 1	3 2½	3 4
1 – –	3 9	– 2	3 11	3 –	– 2	3 2	3 –	4 2	– 2	4 4	3 4	– 2	3 6	3 4
2 – –	7 6	– 4	7 10	6 –	– 2	6 2	6 –	8 4	– 4	8 8	6 8	– 2	6 10	6 8
5 – –	18 9	– 4	19 1	11 3	– 4	11 7	15 –	20 10	– 4	21 2	12 6	– 4	12 10	16 8

Amount of Money Lent.	FOR ELEVEN MONTHS.							FOR TWELVE MONTHS.						
	In Ireland.			In England.			Mont de Piété, Limerick.	In Ireland.			In England.			Mont de Piété, Limerick.
	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.	Interest.	Ticket.	Total.	Interest.	Ticket.	Total.	Total.
£ s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1 –	– 5½	– 1	– 6¼	– 5½	– –	– 5½	– 2¾	– 6	– 1	– 7	– 6	– –	– 6	– 3
2 –	– 11	– 1	1 –	– 5½	– –	– 5½	– 5½	1 –	– 1	1 1	– 6	– –	– 6	– 6
3 –	– 11	– 1	1 –	– 5½	– –	– 5½	– 5½	1 –	– 1	1 1	– 6	– –	– 6	– 6
4 –	1 4½	– 1	1 5½	– 8¼	– –	– 8¼	– 11	1 6	– 1	1 7	– 9	– –	– 9	1 –
5 –	1 4½	– 1	1 5½	– 11	– –½	– 11½	– 11	1 6	– 1	1 7	1 –	– –¼	1 –½	1 –
6 –	1 10	– 1	1 11	– 11	– –½	– 11½	1 4½	2 –	– 1	2 1	1 –	– –¼	1 –½	1 6
7 –	1 10	– 1	1 11	1 1¼	– –½	1 2	1 4½	2 –	– 1	2 1	1 3	– –¼	1 3½	1 6
8 –	2 3½	– 1	2 4½	1 4½	– –½	1 5	1 4½	2 6	– 1	2 7	1 6	– –¼	1 6½	1 6
9 –	2 3½	– 1	2 4½	1 7½	– –½	1 7¾	1 10	2 6	– 1	2 7	1 9	– –¼	1 9½	2 –
10 –	2 9	– 2	2 11	1 10	– 1	1 11	1 10	3 –	– 2	3 2	2 –	– 1	2 1	2 –
11 –	2 9	– 2	2 11	1 10	– 1	1 11	2 3½	3 –	– 2	3 2	2 –	– 1	2 1	2 6
12 –	3 2½	– 2	3 4½	2 –¾	– 1	2 1¾	2 3½	3 6	– 2	3 8	2 3	– 1	2 4	2 6
13 –	3 2½	– 2	3 4½	2 3½	– 1	2 4½	2 3½	3 6	– 2	3 8	2 6	– 1	2 7	2 6
14 –	3 8	– 2	3 10	2 6¼	– 1	2 7¼	2 9	4 –	– 2	4 2	2 9	– 1	2 10	3 –
15 –	3 8	– 2	3 10	2 9	– 1	2 10	2 9	4 –	– 2	4 2	3 –	– 1	3 1	3 –
16 –	4 1½	– 2	4 3½	2 9	– 1	2 10	3 2¼	4 6	– 2	4 8	3 –	– 1	3 1	3 6
17 –	4 1½	– 2	4 3½	2 11¾	– 1	3 –¾	3 2¼	4 6	– 2	4 8	3 3	– 1	3 4	3 6
18 –	4 1½	– 2	4 3½	3 2¼	– 1	3 3¼	3 2½	4 6	– 2	4 8	3 6	– 1	3 7	3 6
19 –	4 7	– 2	4 9	3 5½	– 1	3 6½	3 8	5 –	– 2	5 2	3 9	– 1	3 10	4 –
1 – –	4 7	– 2	4 9	3 8	– 2	3 10	3 8	5 –	– 2	5 2	4 –	– 2	4 2	4 –
2 – –	9 2	– 4	9 6	7 4	– 2	7 6	7 4	10 –	– 4	10 4	8 –	– 2	8 2	8 –
5 – –	22 11	– 4	23 3	13 9	– 4	14 1	18 4	25 –	– 4	25 4	15 –	– 4	15 4	20 –

J. W. H. Haynes.

RETURN of the undermentioned PAWNBROKERS of the City of *Cork*, from 1 January to 31 December 1837.

NAME.	Capital.	Number of Pawns.	Amount Lent.	Number of Redemptions.	Amount received.	Gross Interest, including Tickets.	Expenses.	Net Interest, including Tickets.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
William Long	2,200 – –	31,440 – –	4,720 12 5	24,041 – –	3,629 10 6	291 13 4	137 – –	154 18 4
John Hewitt	1,250 – –	32,953 – –	4,731 13 3	28,132 – –	4,249 18 8	306 10 9	150 – –	156 10 9
George Thornton	4,300 – –	59,908 – –	10,941 5 1	48,882 – –	9,523 19 –	825 14 6	300 – –	525 14 6
Edward Scott	2,300 – –	60,008 – –	5,294 – 7	53,881 – –	4,659 16 7	442 16 3	207 6 –	235 10 3
William Wilson	1,000 – –	23,844 – –	3,205 3 3	21,680 – –	2,986 4 1	260 9 6	81 10 –	178 19 6
Robert Tremorth	1,354 6 9	32,225 – –	4,041 11 11	24,426 – –	3,085 7 9	377 4 3	110 11 –	266 13 3
Joseph Helen	2,000 – –	50,194 – –	8,009 7 –	45,797 – –	7,005 10 –	520 7 9	183 – –	337 7 9
G. and L. Divett	620 – –	32,000 – –	2,732 5 7	26,520 – –	2,515 7 5	230 8 7	109 7 8	121 – 11
Bernard Sheehan	1,147 19 –	43,475 – –	4,475 16 9	39,763 – –	4,127 8 10	369 1 7	220 10 9	148 10 10
R. and W. Long	3,000 – –	36,237 – –	6,581 17 3	- - -	- - -	600 7 2	293 3 –	307 4 2
Cecilia Keily	450 – –	23,471 – –	1,978 6 6	13,814 – –	1,456 1 11	113 2 9	53 10 –	59 12 9
John M'Carthy	900 – –	21,192 – –	2,678 12 5	18,571 – –	2,559 – –	252 – –	120 – –	132 – –
Cornelius Sullivan	1,400 – –	36,738 – –	5,738 9 –	- - -	- - -	404 5 9	150 – –	254 5 9
Anne Howard	300 – –	15,471 – –	2,419 3 –	14,084 – –	2,188 7 4	176 4 10	110 – –	66 4 10
Sarah Wilson	300 – –	8,768 – –	1,105 14 10	8,636 – –	1,050 18 –	90 10 –	38 12 –	51 18 –
Christopher A. Connell	200 – –	5,630 – –	1,071 12 5	5,263 – –	1,037 5 6	71 16 5	60 – –	11 16 5
Daniel Hegarthy	700 – –	39,668 – –	3,027 13 2	37,440 – –	2,704 3 6	244 6 9	68 11 –	175 15 9
John Divett	700 – –	29,553 – –	1,718 3 8	29,553 – –	1,718 3 8	200 – –	110 – –	90 – –
William Rearden	1,000 – –	24,312 – –	2,855 15 9	20,607 – –	2,579 8 11	218 9 6	90 – –	128 9 6
William Harding	650 – –	21,389 – –	2,089 10 7	20,009 – –	2,000 10 9	160 – –	60 – –	100 – –
Henry Bible	400 – –	15,364 – –	1,856 11 8	14,364 – –	1,760 10 6	120 10 9	60 – –	60 10 9
William Hicks	3,500 – –	39,877 – –	6,838 – 11	28,033 – –	4,775 17 1	579 2 –	298 18 –	280 4 –
TOTAL £.	29,672 5 9	683,717 – –	88,131 6 7	523,496 – –	65,613 10 –	6,855 7 5	3,011 19 5	3,843 8 –

To the Honourable The Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble PETITION of *Matthew Barrington*, of the City of Limerick,

Sheweth,

THAT your petitioner has for several years past bestowed much consideration upon the operation and effect of the system of pawning, as now carried on in Ireland:

That his attention was directed to the subject from his impression that the present system was most oppressive upon those very persons whom it was intended to make the special objects of its relief:

That the circumstance of very enormous profits being drawn from the most indigent and necessitous, for the purposes of private gain, appeared to your petitioner an unjust pressure upon the poor, as well as a most serious evil to the community:

That in Great Britain and Ireland alone is the privilege of pawning allowed to private individuals, and consequently in no other country do such abuses of the system exist as are to be found in this kingdom:

That in most other places the relief afforded to the poor by pawning is made productive of a double benefit, without the chance of fraud or abuse; it not only relieves the necessitous with temporary assistance, but it provides other and more permanent aid for the support of the hospitals and infirmaries of each country; by which the great incitement for the increase of gain is the extension of public charity, all the profit derived from the poor being again returned to them in a provision for their relief at a period of greater suffering.

From these and other considerations, your petitioner was induced to direct his attention to the subject, in the confident hope that some course might be devised by which the great evils of this system, as existing in his own country, might not only be remedied, but that in effecting the remedy a great public good might be also accomplished; and your petitioner hopes that he shall be able to shew to Your Honourable House that in the prosecution of his humble efforts, as far as he has hitherto been able to extend them, his most sanguine expectations have been exceeded.

In calling the attention of Your Honourable House to this important subject, your petitioner begs briefly to refer to the original institutions which led to the introduction of pawning as a mode of relief, in order to shew that their principal object was that of assistance to the poor; that from those institutions have proceeded in later times "lending houses," and subsequently, establishments called "Monts de Piété," all of which have retained so much of their original design as still to confine the application of the profits derived from them to the support of houses of charity.

The first institution of this kind can be traced to a period before the Christian era; in modern Italy the popes greatly encouraged these charitable objects, and the name "Mons Pietatis" was given to them in that country.

At first, money was lent without interest to the poor, provided pledges of sufficient value were deposited to secure repayment, but it was soon found necessary to advance money, not only to those who were poor, strictly speaking, but also to the industrious small trader and artisan.

The popes of that day allowed the "lending houses" to receive interest, which had before been objected to; and for the purpose of raising sufficient capital, a moderate interest was secured to those who made advances for that purpose.

These "lending houses" continued to give and receive interest.

At later periods establishments of this kind were formed in different countries: at Auremburgh in 1498; Amsterdam, 1568; Augsburgh, 1591; Brussels, 1619; Antwerp, 1620; Ghent, 1623; and after much effort, the "Mont de Piété," at Paris, was established by a royal ordonnance of Louis XVI. in 1777.

The laws regulating these establishments were subsequently revised and amended in France: by the "Code Napoleon" it is declared, "that no house of loan or security should be established but to the profit of the poor, and with the sanction of the government;" and it declares that the object of all these institutions should be "to lower interest to the poor, and turn profit to the hospitals."

After this period these institutions spread rapidly through France and every other part of the continent of Europe, and all other pawnbroking establishments were superseded.

The "Mont de Pieté" of Bourdeaux has been peculiarly prosperous, and one of the finest hospitals in Europe has been built and endowed from its profits.

Moscow also possesses one of the most splendid institutions of this kind in the world, supporting a foundling hospital of great extent and usefulness.

The poor of Antwerp have been raised from much misery, consequent upon the disasters of the late siege, to a state of comparative comfort through the means of its "Mont de Piété."

The principle upon which these establishments have been formed is to relieve the temporary wants of the poor by advances of money upon pledges, at the same time securing them from rapacious and usurious exactions; and that after defraying the expenses and paying the interest of the capital employed, all further profits should become a fund for the benefit of the very class of persons from whom such profits are derived, and be devoted to their maintenance and support when sickness and disease prevent them from pursuing their usual occupations.

In the countries here alluded to, private individuals are prohibited from carrying on the trade of pawnbroking: it is at the "Mont de Piété" alone that money can be obtained on pledges; to them the poor man goes with confidence that he will there receive the full value on the article deposited; that no advantage will be taken either of his ignorance or necessities, and that while obtaining the temporary accommodation he may require, he is at the same time contributing to a fund which will minister to his necessities in the time of distress and sickness.

Your petitioner would now turn to the British dominions, where alone the lending of money on pledges is permitted to private individuals, and though at various periods the most strenuous efforts have been made by the Legislature to regulate the rate of interest, yet it is found impossible to prevent the most gross abuses on the part of pawnbrokers.

If it be urged that pawnbroking, or the lending of money on pledges of property, is in itself an evil, it must be admitted, on the other hand, that in the existing state of society, it is one that cannot altogether be avoided, and that, therefore, the next best thing to its abolition, is to place the system under such restrictions and management as will tend to make its profits available to the necessitous without fraud or oppression.

Your petitioner, therefore, from the mass of evidence he had collected, being convinced of the eligibility of such establishments, as a certain means of providing funds for public charities, determined on making a trial in the city of Limerick, with a view to contribute to the infirmary of that city sufficient funds to maintain and extend its benefits: he caused suitable buildings to be erected at his own expense, and sent competent persons to Paris to obtain the necessary information as to the mode of conducting the "Mont de Piété" of that city; and such persons having made themselves conversant with the system of management there, the Limerick "Mont de Piété" was opened, under their management, in the month of March last, subject to the control of a committee consisting of the two members for the city; the mayor and chief police magistrate; the Protestant and Roman-catholic bishops, and ten other gentlemen: a capital of 4,000*l.* was raised by debentures, bearing interest at 6*l.* per cent., and the business of the establishment commenced on the 13th of March last; it has now been more than eight months in operation, and your petitioner is most happy in stating to Your Honourable House that its success has been most complete.

Though the city of Limerick is as yet but the circumscribed theatre of this experiment, its beneficial effects, even in that limited sphere, are most striking, as regards both the amount and the manner of the relief afforded; but there are yet higher considerations which it is submitted should influence both the community and the Government in its progress, for it affords undeniable evidence of the salutary operation of a principle applicable to the nation at large; it tends to remove effectually the great evil of the present system of pawnbroking, which doubly afflicts the country by scourging the poor and defrauding the revenue; and when, in addition to the vicious principle of pawnbroking as now existing, the great abuses that can incontrovertibly be proved to exist in its practice are considered, there is nothing connected with the interests of the poor that more loudly calls for investigation.

During the short period that the Limerick "Mont de Piété" has been at work, 70,000 pledges have been received into its magazines, upon which the sum of 13,000*l.* has been lent.

Of this number, 51,000 have been released, for which the sum of 8,600*l.* has been received back.

The rate of interest charged in this establishment is but *one farthing* for a shilling in the month, and no charge for tickets or duplicates; while the pawnbroker's charge is *six farthings*, being one halfpenny for interest, and one penny for the ticket or duplicate; the interest, in like manner, on ten shillings is two-pence a month at the "Mont de Piété," and that of the pawnbroker five-pence, being three-pence for interest and two-pence for the ticket.

One of the most interesting features of the trial already made, and one that fully corroborates the view your petitioner has taken of the benefit of this system to the poorest classes of the community, is the fact that six-sevenths of the whole amount advanced is in sums under five shillings on each pledge.

The saving effected in one day's releasing (the 8th of July last) may be here mentioned, and it may be taken as a fair average of each Saturday.

On

On the sum of 137 *l.* 2 *s.* 8¾ *d.* released on the day alluded to, the interest charged by the "Mont de Piété" amounted to 3 *l.* 3 *s.* 2½ *d.*; while on the same sum, if released at a pawnbroker's, there would have been charged 9 *l.* 1 *s.*, thus effecting a saving of 5 *l.* 17 *s.* 9½ *d.* to the poor on a sum of 137 *l.* 2 *s.* 8¾ *d.*

Your petitioner has great pleasure in stating to Your Honourable House that already the poor, not of Limerick alone, but of the surrounding country, are rapidly becoming aware of the advantages held out by the "Mont de Piété;" that they crowd to it in numbers to avail themselves, not for the advantage of the lower rate of interest alone, but from the satisfaction of knowing that the profits are employed for their own advantage, by supplying funds for the support of an hospital built for their relief, and also from the additional assurance that all surplus arising from the sale of their own goods will honestly be held at their disposal for two years, which is seldom done under the present system of pawnbroking.

That in the preamble of the Act of 26 George III., c. 43, (which is the first Act relating to pawnbroking in Ireland) it is stated, "That lending money in small sums on pledges or pawns would prove extremely convenient and advantageous to the lower order of traders, artificers and others, provided that such borrowers were not liable to imposition or extortion for unreasonable interest-money, or for any unwarrantable charge or demand whatsoever:" by this Act, pawnbrokers are required to take out licenses, and to give securities, but which enactments are scarcely ever attended to; and the marshal of the city of Dublin corporation, whose ordinary duty is to execute the process of the local court, is appointed register of pawnbrokers' licenses in Ireland: all pawnbrokers throughout the country are required, under a penalty, to send this officer monthly returns upon oath of the sums lent by them, on each of which he is entitled to a fee of one shilling.

These returns are required to be laid before either House of Parliament the first week in each session; yet no returns are ever made to Parliament; as the marshals have been in the habit of acting on arrangements with the country pawnbrokers not to require any returns upon their payment of one pound yearly; so that the whole beneficial effect of the statute is evaded, there being no return nor bill of appraisement, no sale-book, and no auctioneer's sheet, although all such are directed to be kept by the pawnbroker for the security of the person pawning.

This evasion or neglect of the law leads also to a very considerable loss to the revenue of the country; for the duty payable to the Crown on sales is now actually lost to the public, as, with few exceptions, no auctions are ever held by pawnbrokers.

It is also worthy of remark, that "Monts de Piété" being conducted by persons having no selfish ends to serve, render most important assistance to the magistrates in the detection of thieves; a fact to which the magistrates of Limerick can bear ample testimony, as since the establishment was opened a great many persons have been handed over to the police authorities who had offered stolen property in pledge.

These establishments also operate as a check to drunkenness, pledges being always refused from intoxicated persons, or from such as can be ascertained to have come for the purpose of raising money to minister to their vicious habits.

Your petitioner submits, that as the necessity of resorting to pawnbroking is an evil which cannot be altogether prohibited, it is the more imperative for the wisdom and fostering care of Parliament, in a matter thus vitally affecting the welfare of so large a portion of the community, to mitigate as far as they can the evil, by converting the principle to a good end.

And your petitioner humbly conceives from what he has stated, that the system of "Monts de Piété" is eminently calculated to accomplish the double good of effecting for the poor a great mitigation of their misery, and at the same time of raising an immense fund for the extension of the sphere of charity.

From the documents in the possession of your petitioner, it appears that there are in Ireland 700 pawnbrokers, whose profits, after paying all the charges on their business, may be fairly averaged at 900 *l.* per annum each; making a total amount of 630,000 *l.* per annum, which enormous profit comes from the distress and misery of the poor, and a slight illustration of the mode in which the interest is charged will fully corroborate this assertion.

Pawnbrokers are allowed to take 25 *l.* per cent. per annum, besides the allowance for duplicate tickets:

This is on the supposition that the pledge is not redeemed before the expiration of a month, but the practice is otherwise; as the most distressed persons frequently redeem the pledges within the week: it is a common habit to deposit some article of apparel on the Monday morning, which is redeemed on Saturday night, to enable the individual to make a decent appearance on the Sabbath, and many articles are pawned on Saturday morning to enable the labouring poor to purchase in the early market, and redeemed again on receiving their wages at night, by which means they avoid the necessity of purchasing from huxters at night at higher prices; but as the lowest charge of interest by that Act (and the amendment thereof, 28th George III., c. 29) is for a month, and as it is the habit to redeem within the week, the charge, including the price of the duplicate, (without calculating compound interest or the interest on a shilling where only a fractional part is given, and for which interest is charged as if the entire shilling had been lent,)

will amount in the cases of those in the greatest want to 650 *l.* per cent. per annum; and thus for every 100 *l.* lent by the pawnbrokers in shilling loans, redeemed in the week, at compound interest, will amount to the almost incredible sum of 45,690 *l.* 7 *s.* 0¼ *d.* in one year, which might, therefore, by law be taken from the poorest and most wretched class.

One shilling lent and received in the week by a pawnbroker pays the same as if for a month: viz.

	Per Week.			Per Month.			Per Year.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
One shilling per week, one halfpenny interest, and one penny for the duplicate, is	–	–	1½	–	–	6	–	6	6
One pound lent in shillings pays tenpence interest, and one shilling and eightpence for duplicates, is	–	2	6	–	10	–	6	10	–
One hundred pounds lent in shillings, pays four pounds three shillings and fourpence interest, and eight pounds six shillings and eightpence duplicates, is	12	10	–	50	–	–	650	–	–

The "Monts de Piété" were established to remedy these evils, and for the purpose of making advances to the poor on deposited pledges at a fair and equitable rate of interest, and applying the profits to charitable purposes.

Thus from the poor of Ireland, under the present system of pawnbroking, is a fund of enormous amount raised.

Under these circumstances, therefore—

Your petitioner does most earnestly entreat that Your Honourable House will appoint a Committee to inquire into the existing state of pawnbroking in Ireland; with a view to remedy its great abuses, to securing the payment of the duty to the Crown, and to consider the expediency of extending the "Mont de Piété" system throughout Ireland, as an auxiliary to any legislative enactment for ameliorating the condition of the poor.

Mat. Barrington.

PAWNBROKERS' AUCTIONEERS, DUBLIN.

(*Vide* p. 111, Quest. 1966.)

AMOUNT of RETURN of SALES, for the Year 1837, by the following Auctioneers.

W. F. Bentley, at *Bride-street*, for *St. Stephen's-green* DIVISION.

	PLATE, &c. at 6*d.*			SUNDRIES at 10*d.*			TOTAL AMOUNT OF SALES.		
	£.	*s.*	*d.*	£.	*s.*	*d.*	£.	*s.*	*d.*
January	146	7	1½	960	12	10	1,106	19	11½
February	167	19	8½	1,042	7	10	1,210	7	6½
March	199	1	1	1,080	19	1	1,280	–	2
April	204	10	9½	908	–	11½	1,112	11	9
May	195	18	3½	1,084	10	–½	1,280	8	4
June	166	1	4½	1,028	15	8	1,194	17	–½
July	195	6	–½	969	17	6	1,165	3	6½
August	84	9	1	887	7	7½	971	16	8½
September	283	19	8	1,139	8	7½	1,423	8	3½
October	289	6	11½	884	8	10½	1,173	15	10
November	270	1	4	1,199	–	1½	1,469	1	5½
December	454	13	8½	1,288	9	7½	1,743	3	4
£.	2,657	15	2	12,473	18	9½	15,131	13	11½

Amount of Duty:
At 6*d.* - £.56 8 10½
10*d.* - 519 14 11½
£.576 3 10

W. F. Bentley, at *Capel-street*, for *Rotunda* DIVISION.

January	-	-	-	774	14	7½	774	14	7½
February	-	-	-	603	8	1½	603	8	1½
March	-	-	-	760	10	–½	760	10	–½
April	-	-	-	785	1	3	785	1	3
May	-	-	-	832	6	1½	832	6	1½
June	-	-	-	866	5	7½	866	5	7½
July	-	-	-	741	9	5½	741	9	5½
August	-	-	-	744	18	–	744	18	–
September	-	-	-	731	4	3	731	4	3
October	-	-	-	835	2	6	835	2	6
November	-	-	-	983	16	10½	983	16	10½
December	-	-	-	655	4	2	655	4	2
£.	-	-	-	9,314	1	–½	9,314	1	–½

Duty - £.388 1 8½

Rodolphus Bourke, at *Francis-street*, for *Workhouse* DIVISION.

January	-	-	-	17	7	6	1,095	16	7
February	-	-	-	99	17	–	984	17	6
March	-	-	-	38	14	1	1,303	5	1
April	-	-	-	72	13	6	1,161	19	7
May	-	-	-	48	4	1	1,362	13	10
June	-	-	-	41	17	5	1,320	17	–
July	-	-	-	4	13	2	1,251	15	10
August	-	-	-	42	8	4	1,266	7	1
September	-	-	-	32	11	1	1,245	17	1
October	-	-	-	11	11	4	1,488	2	6
November	-	-	-	11	13	2	1,252	8	4
December	-	-	-	30	17	5	1,424	4	9
£.	452	8	1	15,158	5	2	15,610	13	3

January	-	-	-	17	7	6	1,095	16	7
February	-	-	-	99	17	–	984	17	6
March	-	-	-	38	14	1	1,303	5	1
April	-	-	-	72	13	6	1,161	19	7
May	-	-	-	48	4	1	1,362	13	10
June	-	-	-	41	17	5	1,320	17	–
July	-	-	-	4	13	2	1,251	15	10
August	-	-	-	42	8	4	1,266	7	1
September	-	-	-	32	11	1	1,245	17	1
October	-	-	-	11	11	4	1,488	2	6
November	-	-	-	11	13	2	1,252	8	4
December	-	-	-	30	17	5	1,424	4	9
£.	452	8	1	15,158	5	2	15,610	13	3

1,113	4	1	
1,084	14	6	
1,341	19	2	
1,234	13	1	
1,410	17	11	
1,362	14	5	
1,256	9	–	
1,308	15	5	
1,278	8	2	Amount of Duty:
1,499	13	10	At 6*d.* - £. 11 6 3
1,264	1	6	10*d.* - 631 11 10½
1,455	2	2	£.642 18 1½

John Dodd's Sales appear of a general character, and his residence is in *Sackville-street*, not in *Barrack* Division.

Dennis O'Connor's Sales, at *Chancery-place*, appearing like Pawnbrokers' Goods, are given.

January	-	-	-	100	17	8	667	7	1
February	-	-	-	-	-	-	382	16	11
March	-	-	-	-	-	-	449	19	5
April	-	-	-	48	3	2	329	4	5
May	-	-	-	41	10	1	481	1	5
June	-	-	-	42	5	–	419	2	7
July	-	-	-	-	-	-	436	14	3
August	-	-	-	-	-	-	474	18	11
September	-	-	-	-	-	-	435	16	–
October	-	-	-	-	-	-	510	6	–
November	-	-	-	70	6	8	484	1	3
December	-	-	-	-	-	-	316	14	4
£.	303	2	7	5,388	2	7	5,691	5	2

769	4	9	
382	16	11	
449	19	5	
377	7	7	
522	11	6	
461	7	7	
436	14	3	
474	18	11	Amount of Duty:
435	16	–	At 6*d.* - £.7 11 7
510	6	–	10*d.* - 224 10 1
554	7	11	£.232 1 8
316	14	4	

The above is an Extract taken from Auctioneers' Returns in the Excise Office, London, ordered by the Select Committee of the House of Commons on Pawnbrokers, Ireland, 31 May 1838.

Thos Ch. Flaxman.

IRELAND (Excise), MALLOW COLLECTION.

AN EXTRACT of Pawnbrokers' Auction Sales, by the following Auctioneers, in the Year 1837.

Auctioneers' Names.	Place of Sale.	Date of Sale.	Amount sold at 10*d.*
		1837.	£. s. d.
John Quain	Mallow	3 February	2 3 9
Ditto	ditto	6 June	2 9 6
Ditto	ditto	16 October	3 4 5
Ditto	Kanturk	5 May	2 7 –
Ditto	ditto	21 & 23 November	3 – 2
Richard Winn	Mallow	23 September	3 3 5
Ditto	Kanturk	4 December	5 16 7
Richard Cox	Youghal	6 March	32 6 3
David Cunningham	ditto	1 March	9 7 8½
Ditto	ditto	23 May	16 13 11
Michael Dennehy	Midleton	7 June	6 12 3
Ditto	Youghal	25 April	6 – 1½
Ditto	ditto	6 to 10 November	6 5 10
Ditto	ditto	12 & 13 December	3 2 1
Michael Cashman	ditto	2 to 19 October	143 9 –½
Henry B. Sandham	Fermoy	25 February	56 – 8
Ditto	Charleville	17 March	38 18 5
Ditto	Fermoy	1 April	99 10 1
Ditto	Mitchelstown	2 May	75 10 8
Ditto	ditto	21 July	16 3 8
Ditto	Fermoy	30 September	8 1 7
Ditto	ditto	2 to 7 October	104 12 2
Ditto	ditto	9 October	13 10 7
Ditto	ditto	21 to 31 October	190 2 9
George Sandham	Kilfinane	2 May	10 3 9
Ditto	Charleville	20 September	17 18 11
Ditto	ditto	30 Oct. to 1 Nov.	17 18 6½
Ditto	ditto	4 November	3 3 1½
Charles Daly	Mitchelstown	30 October	64 2 2
		£.	961 19 1½

Thos Chs Flaxman.

IRELAND (Excise), MALLOW COLLECTION.

AN EXTRACT of Pawnbrokers' Auction Sales, by Sundry Auctioneers, in the Year 1837.

AMOUNT of Pawnbrokers' Auction Sales, at each place in Mallow Collection, in the Year 1837.

Places of Sale.	Number of Sales at each Place.	Amount of Articles sold at 10*d.*	Duty Paid.
		£. s. d.	£. s. d.
Mallow	Six	11 1 1	– 9 2½
Kanturk	Three	11 3 9	– 9 4
Youghal	Seven	217 4 11½	9 – 11½
Midleton	One	6 12 3	– 5 6
Fermoy	Six	471 17 10	19 13 3
Charleville	Four	77 19 –	3 5 –
Mitchelstown	Three	155 16 6	6 9 9
Kirfinane	One	10 3 9	– 8 6
	£.	961 19 1½	40 1 6

Thos Chs Flaxman.

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Excise duty on auctions of plate and farming-stock sixpence in the pound, on other things 10*d.*, *Flaxman* 1944——Heavy bonds given as security to Excise by auctioneers, for payment of duties, *Delvin* 1678–1682.

2. *Produce thereof; evasions of Excise Laws.*

The whole duty of auctions for the last ten years has not realized 11,000*l.* per annum, *Flaxman* 1984——With the exception of Dublin, very little auction duty is paid in any part of Ireland, *Mathews* 101–107——The sales must either be conducted by the pawnbrokers themselves, or by auctioneers, who pay no duty, *Mathews* 151–153——Annual duty paid by the city marshal's auctioneer, *Bentley* 1786–1789——Articles bought in by pawnbrokers pay duty, *Bentley* 1803, 1804——Information derived from Mr. Flaherty, the excise officer of Limerick, and from the pro-collector of Fermoy, as to the small return of duty on pawnbrokers' sales, *Haynes* 322——In Limerick, the auctioneers do not generally make any return to the Excise, *Homan* 1007–1010——In the Mallow district, duties payable on pawnbrokers' sales are not regularly paid up, *Flaxman* 1946——Difficulty of enforcing Excise regulations as to returns of sales, *Flaxman* 1963–1971——Number of separate auctions of pledges in the Mallow district, 1837–38, and amount of auction duty paid in, *Flaxman* 1975——No remedy for frauds committed on the revenue at sales, but the constant attendance of an excise officer, which would be a most expensive arrangement, *Flaxman* 2001, 2002.

3. *Propriety of discontinuing the Duty as far as regards forfeited Pledges.*

Pawnbrokers' goods should be sold like bankrupts' stock, free of auction duty, *Mathews* 146; *Barrington* 762——The auction duty is no loss to the pawnbroker, *Welsh* 1408——The repeal of the auction duty would be a great advantage to pawnbrokers, and a license fee should be paid instead, *Long* 1600; *Flaxman* 1988——Should be taken off as a relief to those driven to pawn their property, *Brophy* 2404.

AUCTIONEERS:

1. *Report of Committee.*
2. *Appointment of Pawnbrokers' Auctioneers.*
3. *Their Charges.*
4. *In Cork.*
5. *In Dublin.*
6. *Papers laid before the Committee.*

1. *Report of Committee.*

Should take out licenses of the same nature as those proposed for pawnbrokers, and to be subject to similar disqualifications, *Rep. p.* xxi——No restriction should be imposed in Dublin or elsewhere on the number of auctioneers whom the pawnbrokers may employ, *Rep. p.* xxi.

2. *Appointment of Pawnbrokers' Auctioneers.*

Defects in the system of appointing auctioneers, *Barrington* 681, 682——Are appointed in the country by the Grand Juries, but in many counties there are no regularly appointed auctioneers, *Mathews* 151——Are seldom appointed by the Grand Jury; there are one or two in Belfast; one, Mr. Martin, was so appointed in Cork, and the pawnbrokers refused to employ him, *Haynes* 309——Several persons in the Mallow district exercise the trade of auctioneers, without taking out any license, *Flaxman* 1953——Should take out an annual license, and give security and qualification, *Barrington* 739–747——Should be persons well acquainted with the trade, *Devlin* 1686——Should be pawnbroker, and take out license like other auctioneers, *Devlin* 1686——Pawnbrokers should be allowed to to employ whatever auctioneer they please, if duly licensed and qualified, *Homan* 1021.

3. *Their*

Report, 1838—*continued.*

Auctioneers :—continued.

3. *Their Charges.*

Amount of fees to which auctioneers are entitled for sale of unredeemed pledges under 26 Geo. 3; those taken by witness considerably less, *Devlin* 1634, 1635——The charges of auctioneers swallow up much of the pawnbrokers' profit, *Meale* 1157——Evidence as to charges of auctioneers for the sale of pledges in Belfast, *Devlin* 1618. 1640——Per-centage charged by the auctioneer for the sale of pledges and of other goods in Dublin, *Bentley* 1733–1739——They are not fairly remunerated for their trouble, *Devlin* 1708; *Flaxman* 1981, 1982.

4. *In Cork.*

Number of pawnbrokers' auctioneers in Cork; no respectable person will undertake the business; plate is sold by two respectable men, Mr. Marsh and Mr. Pennington, *Haynes* 323–326——Those usually employed by pawnbrokers are of good character, but perhaps not so rich as others, *Long* 1592.

5. *In Dublin.*

Sums paid by auctioneers to the city marshal and sword-bearer for the privilege of selling pledges; there are four division auctioneers, and the pawnbrokers may select any one of them, *Mathews* 59–72——They pay the pawnbroker the money for which the goods are sold on the day following the sale, and have to give credit to the purchaser, *Mathews* 73, 74——They should not have any interest beyond a fair per-centage on what they are selling, *Barrington* 686——Two-thirds of the purchasers are brokers, who could not deal without being allowed credit by the auctioneer, *Bentley* 1765–1767——If no rent was paid to the city marshal, the commission might be lowered; there could be no objection to the employment of any licensed auctioneer, *Bentley* 1768, 1769——The monopoly exercised by the city marshal is not beneficial, *Butler* 2138–2144——Gross profits of the city marshal's auctioneer in his two sale-rooms, *Bentley* 1790–1792.

6. *Papers laid before the Committee.*

Return of the amount of money received for goods sold by each of the four pawnbrokers' auctioneers of the city of Dublin, for the years 1832, 1837 respectively; showing the amount sold by each in every calendar month during said years respectively, persuant to 18 section of 28 Geo. 3, c. 49, *App. p.* 164, 165.

See also *Auctions. Grand Jury Secretaries. Penalties. Town Clerks. Treasurers of Counties.*

AUCTIONS:

1. *Report of Committee.*
2. *Attendance and Competition of Bidders.*
3. *Whether held by Night or not.*
4. *Sale Books, how kept; their uses and object.*
5. *Practice in particular places.*

1. *Report of Committee.*

Mode of sale by, in Dublin, Galway and Cork: mode of sale showing clearly that the interest of the pawnbroker alone is thought of in the arrangement, *Rep. p.* x.

2. *Attendance and Competition of Bidders.*

In Dublin the forfeited pledges are not put up for sale in such a way as to procure bidders; the plate is never cleaned before it is put up, *Mathews* 83–86. 100; *Carr* 645, 646——The public are not parties to the sale, but only a few "jobbers" or "brokers," who attend all the auctions, *Mathews* 87, 88; *Carr* 647——The articles are sold for less than the pawnbrokers' claim upon them; no attempt is made to secure any surplus for the poor man, *Mathews* 89–93——The brokers will not buy unless they are certain of a large profit, *Carr* 647, 648——The goods are not exhibited before they are put up to sale, *Bentley* 1780——They are scarcely ever advertised; there is no posting except in the auction-room, *Carr* 649——There is a fair competition; the pawnbrokers are always on the spot to bid, *Bentley* 1778, 1779——The sale does not commence at the time specified in the advertisement, unless there is a good attendance of bidders to secure competition, *Bentley* 1785——The places in which they are held in cities are such as respectable persons will not enter; they are only attended by jobbers, *Haynes* 339, 340——If persons who have pawned articles attend, the jobbers will not bid against them, *Haynes* 341, 342——Owners have sometimes bought their articles cheaper than they could have released them, *Bentley* 1775——In country parts of Ireland are attended by *bonâ fide* purchasers, *Haynes* 468.

Report, 1838—*continued.*

Auctions:—continued.

3. *Whether held by Night or not.*

In Dublin, the time fixed upon for the sales is inconvenient; they are the only sales that take place in the evening, *Mathews* 94–99; *Haynes* 339, 340——Sales of soft goods generally commence at noon, and continue till night; plate is never sold before nine in the evening, *Carr* 644——Pawnbrokers prefer having plate, watches and books sold at night for the convenience of tradesmen who cannot leave their shops in the day, *Bentley* 1742——In Limerick, are always conducted by day, *Homan* 1014——Are frequently carried on at night by auctioneers in Belfast, although contrary to law, *Aikin* 1373, 1374 ——Witness never holds sales at night, although there are some auctioneers who do so, *Devlin* 1671——They are generally held by day in the country, *Haynes* 339, 340.

4. *Sale Books, how kept; their uses and object.*

Amendments suggested in the mode of conducting the sales, and making entries thereof so as to ascertain what overplus is due to the pledger, *Haynes* 456; *Barrington* 739—— In Belfast this is the only mode of ascertaining the amount for which goods are sold, *Aikin* 1292——Entries made in the sale-book in Dublin, how checked; they are open to inspection, but very few persons apply, *Bentley* 1770–1773——The number of the duplicate and name of the owner are never entered, *Bentley* 1774——No entry could prevent the pawnbroker from cheating the pledger; but entering the number of the duplicate would be a security, *Bentley* 1794–1799——The books of the auctioneer contain no entries which identify the property sold, the purchasers, or the parties to whom it belonged, *Carr* 639–642.

5. *Practice in particular Places.*

Belfast: system of purchasing goods at pawnbrokers' sales, and re-pawning them with a profit, pursued to a great extent, *M'Call* 1144, 1145——Publicity given by witness on the four days in the week on which he sells unredeemed pledges, *Devlin* 1654. 1657—— Galway: Auctions of pledged goods carried on by witness on his own premises, *Welsh* 1419——Mode of conducting the auctions of pledged goods, and settlement of accounts *Welsh* 1423——Cork: Regularity with which all sales of unredeemed pledges are conducted, *Long* 1606——Mallow: Excise regulations in the Mallow district regularly complied with, *Fluxman* 1957–1959.

See also *Notices of Sale. Overplus. Plate. Pledges.*

B.

Barrington, Matthew. (Analysis of his Evidence.)—Has taken much interest in the public institutions of Limerick, 653–655——All the laws affecting pawnbrokers are either evaded or are totally inoperative, 656——The Barrington Hospital founded by witness's family relieved many hundred persons during the cholera, 657–659——He established the Mont de Piété to assist the funds of the hospital, and to correct the system of pawnbroking, 660——The pawnbrokers of Limerick have since been more cautious in their mode of conducting business, 661–663——All the laws relating to pawnbrokers should be embodied into one Act, 664——Reasons for subjecting pawnbrokers to regulations which are not applied to other trades, 665–669——Illegal rates of interest charged by them: the poor have no redress, 670–674——The duplicates are very bad, and are easily lost, 675——The Act directs that no goods shall be received from washerwomen, and no plate with crests, but is disregarded, 676.

The mode of holding auctions is inefficient, 677——Many pawnbrokers keep public-houses; instances given, 677——Pawnbrokers should be prohibited from taking pledges from persons in a state of intoxication, 677–680——Defects in the regulations for the appointment of auctioneers, 681, 682——The poor who are unable to redeem their pledges very seldom recover any overplus after the sale, 683–685——The auctioneer should not have any interest, beyond a fair per centage, in what he is selling, 686—— Pawnbrokers do not lose by the sale of unredeemed pledges, 687–690——Notices of sale are perfectly useless; they are only required in Dublin, and there the law is evaded, 690, 691——Necessity of improving the present system of licensing, 692——Numerous instances given in which pawnbrokers have not lodged any bonds as required by the Act, 693–700——The penalties cannot therefore be recovered: bonds when given are scarcely ever renewed, 701–703——The rates of interest are not hung up in the shops, 703—— Business is done at illegal hours, which offers facilities for the disposal of stolen goods, 703.

Pawnbroking properly conducted is of the greatest use to the poor, 704–706——The Mont de Piété at Limerick is preferred to pawnbrokers, as the managers are known to have no interest in doing injustice, 707–710——Advantages of advancing a small proportion only of the value of articles, together with a diminished rate of interest, 711–725 ——A charge ought to be made for duplicates, but no interest should be required up to a certain

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Barrington, Matthew. (Analysis of his Evidence)—*continued.*

a certain time, 726–735——Every pawnbroker should have an annual license like a publican, and give security, 736–739——Proposed regulations for the sale of forfeited pledges, 739–746.

Auctioneers should be licensed with qualification and security, 747——Inspectors should be appointed to examine periodically the books of pawnbrokers and auctioneers, 748——The sums raised by licenses would pay the inspectors, and leave a surplus for charities, 749–752——Notwithstanding the license in Dublin, the business is carried on more beneficially to the poor in the country, 753–758——The auctioneer should retain any surplus arising from the sale of unredeemed pledges, and pay it to public charities, if not applied for, 758–761——The auction duty should be removed: little is paid already, 762——Places in which Monts de Piété have been established in Ireland, 763–766——Expenses of the Limerick establishment, 767–773.

Barrington, Matthew. Petition of Matthew Barrington, Esq., of the city of Limerick, *App. p.* 227.

Barrington, Mr. See *Limerick Mont de Piété.*

Barrington's Hospital, Limerick. Was founded solely at the expense of the Barrington family; it relieved many hundred persons during the cholera, *Barrington* 657–659.

See also *Limerick Mont de Piété.*

Belfast. Evidence as to pawnbroking trade at Belfast, *M'Call* 1061, 1062. 1066; *Aikin* 1247–1398.

See also *Advances. Auctioneers. Auctions. Hours of Business. Monts de Piété. Notices of Sale. Overplus. Penalties. Pledges.*

Bentley, Mr., auctioneer, in Dublin. Extract from his evidence given before the Commissioners for inquiring into the state of Irish Municipal Corporations, *App. p.* 208.

Bentley, William Frederick. (Analysis of his Evidence.)—Deputy of the Dublin city marshal, and auctioneer of forfeited pledges for many years, 1729–1732——Per-centage charged for the sale of pledges, and for the sale of other goods, 1733–1739——Notices of sale are of no use, as so many fictitious names and addresses are given, 1740, 1741——Pawnbrokers prefer having plate and books sold at night, for the convenience of tradesmen, who cannot leave their shops in the day, 1742——Amount paid by witness to the city marshal for his office; transactions with Stanley, the late, and Butler, the present, marshal, 1743–1758——Pawnbrokers are quite independent of the city marshal, and could not be subjected to annoyance by him, 1760, 1761——His necessities induce him to make a contract with them, by which they pay less than he may lawfully demand, 1762——Witness does not get more business by reason of his connexion with the marshal; he is principally employed by Roman Catholics, 1763.

Two-thirds of the purchasers are brokers, who could not deal without being allowed credit, 1765–1767——If no rent were paid to the marshal, the commission might be lowered; there could be no objection to the employment of any licensed auctioneer by pawnbrokers, 1768, 1769——Entries made in the sale-book, how checked; they are open to inspection, but very few persons apply, 1770–1773——The number of the duplicate and name of the owner are never entered, 1774——Owners have sometimes bought their articles cheaper than they could release them, 1775——There is a fair competition at the auction, 1778——The pawnbrokers are always on the spot to bid, 1779——The goods are not exhibited before they are put up to sale, 1780——Some pawnbrokers sell pledges without sending them to the auction, 1781, 1782——No one but the owner could complain, and whenever he does, the pawnbroker compromises with him, 1783, 1784——The sales do not commence at the time specified in the advertisement, unless there is a fair competition, 1785——Sums paid by witness as auction duty, 1786–1789——Gross profits of his two sale-rooms, 1790–1792.

No entry in the auctioneer's book can prevent the auctioneer from cheating the pledger; but entering the number of the duplicate would be a security, 1794–1799——False entries and over-charges in a docket of sale handed to witness, 1800–1802——The articles bought in by pawnbrokers pay auction duty, 1803, 1804——Manner in which notices of sale should be given by pawnbrokers, 1805–1809——Rates of interest charged by Dublin pawnbrokers on 2*s.* and 1*s.* loans, and for duplicates, 1810–1813——The legal rate would compensate them, and they would be satisfied with it, although they have been in the habit of charging more, 1814——Proportion between the profit from ticket-money and interest, 1815——One-tenth of goods pawned are left for sale, and one-twentieth in value; the pawnbroker does not get the principal by the sale, 1816–1818.

The average profits of Dublin pawnbrokers are less in proportion to the capital engaged than those of any other trade, 1819–1822——Their capital is invested more largely in loans than in goods for sale; they would not think it a hardship to be prohibited from selling goods by retail, 1823, 1824——The pawnbroker should not be able to charge

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Bentley, William Frederick. (Analysis of his Evidence)—*continued.*

interest after the forfeiture of the article, which would then be sold more speedily, 1825–1828——It is the practice of country dealers to purchase goods from pawnbrokers in Dublin, without bringing them to public auction, to a great extent, 1830–1832.

Bonds. See *Dublin City Marshal. Grand Jury Secretaries. Securities.*

BOOKKEEPING:

1. *Report of Committee.*
2. *Evidence.*

1. *Report of Committee.*

The general power given to magistrates to order the production of books is of very little avail, *Rep.* v.——Imperfect description of books kept by pawnbrokers and by auctioneers of forfeited pledges, *Rep.* v.——Amendment in the present mode of keeping auctioneers' and pawnbrokers' books suggested, *Rep.* xv.

2. *Evidence.*

Unsatisfactory manner in which books are kept, *Haynes* 212——Examination as to modes of keeping pawnbrokers' books, *Aikin* 1262. 1280; *Welsh* 1453; *Long* 1509; *M'Call* 1060.

See also *Accounts. Auctions*, 4. *Inspection of Books.*

Bristol. Case of sale of goods at Bristol, in which collusion was practised between the pawnbroker and auctioneer, to defraud the pawner. *Flaxman* 1996.

Brophy, William. (Analysis of his Evidence.)—Pawnbroker, Dublin, 2376——Losses sustained by witness, from the marshal's neglect in serving notices of forfeited pledges, 2379——Pawnbrokers at Dublin have a common fund to defend themselves against any prosecution that may be brought against them, 2386——Extent of subscription entered into by pawnbrokers to attend to any Bills which might be brought into the House on the subject of their trade, 2389–2393——Mode of charging interest on small sums at Dublin, 2394, 2395——It would be practicable for Dublin pawnbrokers to give notice of the precise day of sale to a pledger, instead of serving notice as at present, 2401——The form of duplicate proposed by Mr. M'Call might be adopted, 2402——Extension of hours should be allowed; taking the year round, from nine in the morning to seven in the evening, 2403——If pawnbrokers were open earlier, they would afford a ready sale for stolen goods, 2404.

Notices should be inserted in a newspaper, or on the pawnbroker's window, 2404——Auction duty should be taken off, as a relief to those driven to pawn property, 2404——Goods under 10*s.* value should be disposed of according to the English Act, 2404——There should be an extension of privilege of lending sums above 10*l.*, and the period limited for sale, 2405——All summonses in Dublin should be decided by police magistrates, instead of court of conscience, 2406——Pawns should be allowed to be taken in late on Saturday nights, 2408——Time for selling pledges should be regulated according to the nature of the property pawned, 2409——Examination as to money transactions between Mr. Campbell and Mr. Cox, 2411–2416.

Brunton, Timothy. A pawnbroker at Limerick, died several years ago, and his widow is carrying on his business without a fresh license, *Homan* 1032–1036.

Butler, John Judkin. Marshal of Dublin; registrar of pawnbrokers' licenses; extracts from his evidence taken before the Irish Municipal Inquiry Commissioners, *App. p.* 205.

Butler, John Judkin. (Analysis of his Evidence.)—Marshal of the city of Dublin since September 1831, 2003, 2004——Has charged 1*l.* for registering pawnbrokers, in conformity with an opinion of the Recorder, 2008–2010——Examination as to other charges; that made to Mr. Porter, of Tanderagee, explained, 2011–2018——All the pawnbrokers in witness's return have given securities, 2019–2023——He sent his son to Cork, to see that new securities should be given when required; charges made for registering them, 2024–2062——He never received monthly returns; it was the custom of his office to receive them only once a year, 2063–2074——He sometimes received fees without the returns; amount of fees, how collected; 2075–2089. 2192–2199——Cannot account for any inaccuracies in his return to Parliament, 2090–2098. 2228–2241——Extent to which his office may be deemed a check upon county pawnbrokers, 2099–2109. 2162–2178——Means taken to give tickets of sale in Dublin, as a check upon pawnbrokers, 2110–2137——The monopoly he exercises as auctioneer of forfeited pledges is not beneficial, 2138–2144——The whole business is performed by Mr. Bentley, his deputy, 2145–2151——Negotiations with him respecting the weekly rent paid for his deputation, 2152–2156. 2192–2210. 2221–2225——He considers his office one for life, 2157–2161——His corporate duties, 2180–2182——The interference of the corporation between him and

his

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Butler, John Judkin. (Analysis of his Evidence.)—*continued.*

his deputy was not at his suggestion, 2183–2191——His deputy is not appointed by the corporation, but by himself, 2211–2220——Witness's letter to Mr. Long, a pawnbroker of Cork, 2226, 2227.

[Second Examination.]—Reasons why witness has received more fees than the Act requires pawnbrokers to pay, 2242–2251. 2275–2181——Examination as to the securities of Deborah Ann Roe, of Ballinasloe, 2252–2264——Witness received certificates from the seneschal of Newry, considering his office to be the same as that of town clerk, 2265–2274——Examination of inaccuracies in witness's returns, 2282–2318——Cases in which he has been paid his fees in advance, 2319–2325——Examination relative to the securities of Bridget Quin, 2326–2335——Witness has borrowed money from pawnbrokers in Dublin, 2336–2347——Reasons for writing a letter to Mr. Long, of Cork, 2348–2351——Examination as to the registry of Hugh Harper, of Belfast, 2352–2356——Of Oney Sheahan, 2357–2360——Inaccuracies or omissions in the returns for Belfast, Dundalk, Waterford and Wexford, 2361–2367——Witness having procured from some of the Dublin pawnbrokers an advance of money for the compounded payments for notices of sale, by depositing a policy of insurance, 2368–2371——Has always received the fees in British currency, 2372–2375.

C.

Campbell, Mr. Examination as to supposed money transactions between Mr. Campbell and Mr. Cox, *Brophy* 2411–2416.

Capital. See *Duplicates,* 3. *Profits.*

Carr, Andrew. (Analysis of his Evidence.)—The two greatest evils connected with the pawnbroking system, are, the rate of interest, and the manner in which auctions are held, 624–627——Witness has prosecuted a pawnbroker in three cases, for charging more than the legal rate of interest; but the Act does not inflict a penalty, 628–634——The Dublin pawnbrokers never place a table of interest in a conspicuous part of their shops, 635——Some of them sell spirits, contrary to the provisions of the Act, 636–638——Auctioneers' books contain no entries which identify the property sold, or the persons to whom it is sold or to whom it belonged, 639–642——The sales of soft goods begin at noon, but plate is not sold until night, 643, 644——The goods are not shown until the auctioneer puts them up for sale, 645——The dust and tarnish is not removed, 646——No one attends but brokers, who will not buy unless they are certain of a large profit, 647, 648——Auctions are scarcely ever advertised, 649——There is less difficulty now than formerly, in getting an account of goods from pawnbrokers, 650–652.

Cautioning. System called "cautioning" in Scotland, *i. e.* (on pawner paying for a new duplicate, the broker required to withhold goods from sale), recommended for Ireland, *Devlin* 1695.

Castle Connell. See *Loans.*

Certificates. Returns from the marshal of the city of Dublin of the names and residences of all pawnbrokers in Ireland who have lodged with him certificates pursuant to an Act of the Irish Parliament, 26 Geo. 3, c. 43, s. 40, with dates on which the same were lodged respectively, *App. p.* 147. 163.

See also *Dublin City Marshal. Securities.*

Churchwardens. See *Interest. Penalties.*

Clerks. See *Robberies.*

Close, Mr. Reference to evidence given by him before the Commissioners of Poor Laws, *App. p.* 145——Return from Mr. Close, pawnbroker, showing the number of tickets and amount issued by him each month 1833, *App. p.* 146.

Credit. See *Auctioneers,* 1. *Loans.*

Cork. Evidence as to the state of the trade of pawnbrokers at, *Long* 1489–1608——Return of the names of the Cork pawnbrokers, end of their several capitals and number of pawns, &c., *App. p.* 226.

See also *Appraisers. Auctioneers. Auctions. Duplicates. Interest. Licenses. Monts de Piété. Notices of Sale. Securities, &c.*

Corporation Commission. Extracts from the Minutes of Evidence taken before the Commissioners of the Irish Municipal Inquiry, on the state of the pawnbroking trade generally, *App. p.* 205——Extracts from the first Report of Commissioners relative to the office of marshal of Dublin, and pawnbrokers' trades, *App. p.* 140.

Corporation Commissioners. The evils arising out of the system of pawnbroking, as stated in their Report, are still in operation, *Mathews* 4–13.

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County Treasurers. See *Securities. Treasurers of Counties.*

Cox, Mr. See *Campbell*, Mr.

Crolly, Dr. Reference to evidence given by him before the Poor Law Commissioners, *App. p.* 145.

Cunningham, Adam, town clerk of Carrickfergus. Extracts from the Report of Irish Municipal Corporation Commissioners, of his evidence, *App. p.* 217.

D.

Devlin, Mr. Reference to his evidence extracted from Report of Poor Law Commissioners, *App. pp.* 143, 144.

Devlin, John. (Analysis of his Evidence.)—One of the auctioneers for the county of Antrim, 1614——Sells pawnbrokers' pledges which have been forfeited in Belfast, 1615——Evidence as to charges of auctioneers for the sale of pledges, 1618——Examination of witness's books of sales, 1623——Persons frequently apply for account of sale, and ask for surplus, 1624——It might be a prudent arrangement to give notice in the sale-room to owners of articles that they might receive surplus from the auctioneer, 1629——Date of appointment, 1631——Amount of fees under 26 Geo. 3, to which auctioneers are entitled; those taken by witness considerably less, 1634, 1635——Charges made by witness on sales of goods, 1640——Publicity given to sales by witness on the four days per week on which he sells unredeemed pledges, 1654–1657——When sales are of any importance, advertisements are put in the newspapers, 1658——Mode of conducting the sale at Belfast, 1659——Witness never knew of any instance of a surplus being refused, which was endorsed on the ticket by the auctioneer, 1662——Witness does not hold sales at night; there are others who do so, 1671.

Auctioneer accountable to the Excise for the duty received on goods sold; heavy bonds given as security, 1678–1682——An auctioneer of pawned goods should be a person well acquainted with the trade, 1686——Should be a pawnbroker, and take out a license like another auctioneer, 1686——General suggestions for regulations of sales, 1686–1693——System called "cautioning" practised in Scotland recommended for Ireland, 1695——Witness has often had goods to sell at Belfast brought in from other places, 1697——Plate and other valuable goods should be sold at different times to other property, 1704——Payment of auctioneers under pawnbroking regulations not sufficient, 1708——Pawning sometimes carried on on Sunday, 1710——Three or four pawnbrokers in Belfast who also keep shops for the sale of spirits, 1711——Pawnbrokers often sell by retail from their own shops; illegality of the practice, 1717–1719——Pawnbrokers in Belfast have been frequently fined for illegal practices, but are still in business, 1722–1724.

Dooley, Timothy, pawnbroker resident in Dublin. Extract from the evidence taken before the Commissioners of Irish Corporations, *Rep. p.* 209.

Douglas, Archibald. (Analysis of his Evidence.)—Inspector and secretary of the Limerick Mont de Piété, 473, 474——Funds were raised by debentures bearing interest at six per cent.; amount raised, 482–484. 675, 676——Part was paid by persons anxious to promote the benevolent objects of Mr. Barrington, and part as a profitable investment, 477——Form of the debenture; by whom signed, 478–481——The whole sum raised is to be laid out in loans, 485, 486——The sums expended in building were advanced by Mr. Barrington; rent that will be paid him, 487–489——Probable expense of increasing the building in case the business should be quadrupled, 490–494——The managers are expected to attend weekly, but are very remiss in their attendance, 495–501——Mr. Haynes was appointed to manage the practical part of the establishment, at Mr. Barrington's desire, 505.

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2. *Size and form thereof.*
3. *Charges that should be made for Duplicates.*
4. *Charges in particular Places.*

1. *Report of Committee.*

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2. *In England and Ireland compared.*
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4. *Mode of charging and Rate of Charge in particular Places.*
5. *Time for which Interest should be charged.*
6. *Tables of Interest, whether hung up in Shops.*

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2. *Defects of present System; proposed Improvements.*

Evil consequences of the present mode of granting licenses, *M'Call* 1051——With the exception of Dublin, there is no system of licensing pawnbrokers in Ireland, *Mathews* 14, 15——In Dublin an annual license is granted by the head magistrate at the office of police, *Mathews* 35——Cost of the license; in one case only was a license withheld, and the Court of King's Bench affirmed the right of the magistrates to withhold it, *Mathews* 37–39——Necessity of improving the system of licensing pawnbrokers, *Barrington* 692; *M'Call* 1052——Every pawnbroker should have an annual license like a publican, and give security, *Barrington* 736–739——The license should be renewable on proof of good conduct, for which he should pay a moderate sum, *Mathews* 117–123——It should be granted by the Government, and not by corporations, *Mathews* 147–150——Should be granted with security, and taken away for any improper conduct on the third offence, with a right of appeal to the sessions or assizes, *Homan* 1021——Terms under which licenses should be granted, *M'Call* 1068——A pawnbroker convicted of acting wilfully in opposition to the law should be refused a license, *Sullivan* 1894——The sums charged for pawnbrokers' and auctioneers' licenses should pay inspectors, and leave a surplus for charities, *Barrington* 749–752——Difference of opinion among the trade at Belfast as to licensing, *Aikin* 1252——Pawnbrokers at Galway are willing that the trade should be subject to regulations; generality would with pleasure concur in a licensing system, *Welsh* 1405.

3. *Charge that should be made for Licenses.*

A 50*l.* license would not prevent many persons from engaging in the trade, as they must have a large capital, *Mathews* 146——A 50*l.* license would keep the trade respectable, *Shields* 1861–1864——The license might be from 40*l.* to 50*l.*, *Long* 1600–1603——Sums that should be charged in Limerick and Cork, *Homan* 1028, 1029.

See also *Auctioneers. Dublin.*

Limerick. The pawnbrokers have been more cautious in their mode of conducting business since the establishment of the Mont de Piété, *Barrington* 661–663——Number of pawnbrokers before and since the establishment of the Mont de Piété, *Homan* 840–848.

See also *Advances. Auction Duty. Auctions. Interest. Intoxication. Licenses.*

LIMERICK MONT DE PIÉTÉ:

1. *Report and Evidence.*
2. *Papers laid before the Committee.*

1. *Report and Evidence.*

Established by Mr. Barrington, *Rep. p.* ii.——No charge made for duplicate, *Rep. p.* vi.——Was established to assist the funds of Barrington's Hospital, and to correct the system of pawnbroking, *Barrington*, 660——Is a licensed establishment; its rules have been registered with the Loan Fund Board, and certified by Mr. Hutton the barrister, *Douglas* 619, 620.

Its annual income, *Haynes* 469. 472——Estimated expenses in salaries, house-rent, &c.; probable balance that will remain for the benefit of Barrington's hospital, *Douglas* 531–574——Estimated income and expenditure, *Barrington* 767–773——Funds were raised by debentures, bearing interest at 6 *l.* per cent.; amount raised; by whom subscribed; form of debenture, *Douglas* 475–481——The whole is to be laid out in loans; the sums expended in building were advanced by Mr. Barrington; rent that will be paid; probable expense of increasing the building if the business should be quadrupled, *Douglas* 485–494——Insufficiency of the capital; debentures alone will not raise as much as is required, *Douglas* 578–594——Most of the loans advanced are under 5*s.*; number of pledges taken and released in a year; estimate of capital that could be employed, *Douglas* 595–603.

Is making 30 *l.* per cent. on the capital employed by reason of the rapid release of pledges, *Haynes* 248——There will shortly be a surplus applicable to charitable purposes, *Haynes* 249——If all the articles already pledged were now sold, the establishment would sustain no loss, *Haynes* 256–258——As yet there has been no sale; the owner of each article could be served with notice, *Haynes* 259–261——Any surplus that may remain after a sale, will be applied to the benefit of Barrington's hospital, *Haynes* 263–267.

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Limerick Mont de Piété :—1. *Report of Evidence*—continued.

Establishment: duties of the cash clerk, check clerks, valuators, day-book and other clerks; their salaries, *Haynes* 370–402——System of checks adopted; detailed account of the process through which each article passes, *Haynes* 403–414——Is not accountable for accident by fire or burglary, but is insured, and takes every precaution, *Haynes* 416–419——Names of some of the board of directors, their duties; they are expected to attend the board weekly, but are very remiss in their attendance, *Douglas* 495–501.

The most prudent class of persons come there; some pledge articles on Saturday morning until the wages are paid in the evening, and are enabled to buy potatoes and milk at a cheaper market, *Douglas* 611–613——Persons come from a great distance, being attracted by Mr. Barrington's name, *Douglas*, 614——The people have more confidence in the establishment, as being connected with Mr. Barrington's name, *Haynes* 251——Is preferred by the poor to pawnbrokers, as the managers are known to have no interest in doing injustice, *Barrington* 707–710——Is preferred because no charge is made for duplicates, and because Mr. Barrington's name assists it, *Homan* 863.

2. *Papers laid before the Committee.*

Bye-laws, with rules and regulations for the government of the Mont de Piété, or charitable pawn-office, in Limerick, as revised and approved by the consulting barrister of the Loan Fund Board, Dublin Castle, in terms of Act 6 & 7 Will. 4, *App. p.* 218–223.

Tables showing the difference between the interest charged by pawnbrokers in England and Ireland, together with the charges made at the Mont de Piété, Limerick, a charitable pawn-office, established by Matthew Barrington, Esq., for the support of Barrington's Hospital, *App. p.* 223–226.

See also *Advances. Interest. Intoxication. Releases. Stolen Goods.*

Lindley, George. Extracts from his evidence given before the Commissioners for Irish Municipal Inquiry, *App. p.* 206.

Lisburn. Evidence as to the state of the pawnbroking business at, *M'Call* 1043–1245.

See also *Duplicates. Interest.*

Loans:

1. *Report of Committee.*
2. *Evidence.*
3. *Papers laid before the Committee.*

1. *Report of Committee.*

Observations on the law restricting the loans of pawnbrokers to 10*l.*, *Rep. p.* xv.

Recommendation of the Committee that pawnbrokers should in future be allowed to make loans on pledges to any amount desired, subject to proposed regulations, *Rep. p.* xxii.

2. *Evidence.*

Pawnbrokers should be allowed to lend sums above 10*l.* to one person at one time, at a certain rate of interest, *Homan* 1021——Extract from a letter to Mr. Barrington on a pernicious system of loans to the poor adopted at Castle Connell, *Haynes* 431–434——In country places goods are sold on credit at prices greatly exceeding the market price, by which means more than the legal interest on loans is realized; interest charged by farmers on potatoes, *Haynes* 435–443.

3. *Papers laid before the Committee.*

Return of the number of returns made by the city marshal of Dublin to Parliament of sums lent by pawnbrokers in Ireland for each of the last 10 years respectively, pursuant to 41st section of 26 Geo. 3, c. 43, *App. p.* 147–163.

Return of the number of sums lent by each pawnbroker in Ireland for each of the years 1832–1837, pursuant to the 41st section of 26 Geo. 3, c. 43, *App. p.* 147–163.

Long, William. (Analysis of his Evidence.)—Pawnbroker in Cork, 1489——Chairman of the Pawnbrokers' Society, 1493——Deputed by the pawnbrokers to represent them to the Committee, 1498——Witness does not fully approve of Mr. Homan's proposed regulations, 1499——Pawnbrokers should not be forced to sell goods, and cease to charge interest if the pawners desire their goods to be retained, 1500——Frequent application for surplus of sales; a mistake to suppose the reverse the case at Cork, 1504–1506——Witness's system of book-keeping; examination of his books, 1509——Mode of charging interest by witness, 1512——Of charging for duplicates, 1534——Examination of witness's sale-book of unredeemed pledges, 1540–1557——Witness sells such articles as hats, shoes and boots in his shop, but no others, 1558, 1559——Evidence as to charges for bonds on pawnbrokers in Cork, 1560.

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after deducting expenses, about 9 ½ *l.* per cent., 1587——Auctioneers usually employed by pawnbrokers of good character not so rich as others, 1592——It would be a great advantage if the auction duty was done away with, and a license-fee paid instead, 1600——Amount of license might be about 40 *l.* or 50 *l.*, 1601–1603——Goods should be classed, and sold according to their nature from 6 months to 15 months, 1604——Interest should be allowed to run for a month or two after time prescribed for sale, in order to give the pawnbroker a choice of a market, 1605——Regularity with which sales are conducted at Cork, 1606——Evidence as to appointment of appraisers at Cork, 1608.

Long, Mr. *of Cork.* Letter addressed to him by the Dublin city marshal; object of that officer in writing it, *Butler* 2226, 2227. 2348–2351.

Lynch, Philip, Peace-officer of head office, Dublin. Extracts from evidence taken before the Commissioners for Irish Municipal Corporations, *App. p.* 212.

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M'Call, Hugh. (Analysis of his Evidence.)—Pawnbroker, residing at Lisburn, 1043——Well acquainted with the trade in the north of Ireland, 1045——Desirous of seeing the trade put under better regulations, 1048——Evil consequences of the present mode of granting licenses, 1051, 1052——Evidence as to necessity of sale-books, 1060–1064——Practicability of preventing pawnbrokers engaging in retail trade, 1065——Profits of pawnbrokers' trade legitimately arise from releasing goods and receiving interest, 1067——Qualities which should entitle a person to a license to act as pawnbroker, 1068——The rates of interest at Lisburn considerably lower than at Belfast, 1072——Mode of charging for duplicates, 1077——Length of time pledges remain in hand, 1084, 1085——Evidence as to duplicate-money at Lisburn, which constitutes about one-third of the profit, 1092, 1093——In many cases the scale of charges in Ireland more advantageous to the pledger than in England, 1102.

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System of purchasing goods at pawnbrokers' sales, and re-pawning them with a profit, pursued to a great extent at Belfast, 1144, 1145——With a license on each pawnbroker, there would be very little reduction in the rate of interest, 1149——Constant cases of overcharge made by persons employed by those who wish to redeem their goods, 1152——Class of persons who pawn most are of a respectable class, 1155.

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M'Cormac, John. Reference to the evidence given by him before the Commissioners for Poor Laws Inquiry, *App. p.* 145.

M'Intee, Hugh, auctioneer. Extracts from his evidence, as given before the Commissioners of Corporation Inquiry, *Rep. p.* 210.

M'Namara, Thomas, auctioneer and pawnbroker. Extracts from evidence given by him before the Commissioners of Irish Corporation Inquiry, *App. p.* 211.

Mallow Excise District. See *Auction Duty. Auctions.*

Marshal of Dublin. See *Dublin Marshal.*

Marsh, Mr. See *Auctioneers,* 4.

Martin, Mr. See *Auctioneers,* 2.

Mathews, George. (Analysis of his Evidence)—Has been six years in the Chief Secretary's office, Dublin, 1, 2——Secretary of Central Loan Fund Board, 3——The grievances arising out of the pawnbroking system, as stated in the Corporation Commissioners' Report, still exist, 4–13——There is no licensing, except in Dublin, 14, 15——By the Irish Act, 26 Geo. 3, c. 43, securities are required from pawnbrokers, which are lodged with the town-clerk or county treasurer, who give certificates, 16–19——There are certain

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May, Sir *Stephen.* Reference to evidence given by him before the Poor Law Commissioners, *App. p.* 144.

Monthly Returns. The Dublin city marshal is supposed to prepare an abstract of monthly returns of pawnbrokers, and lay them before Parliament, which he has never done; there is no use in such returns, *Mathews* 113–116——The pawnbrokers are anxious to be relieved from the duty of transmitting monthly returns, *Mathews* 125, 126——The returns of the city marshal are incorrect; although fees were always taken, the returns were not required to be made until within the last two years, *Homan* 868–893——Manner in which the fees are divided between the town-clerk and city marshal, *Homan* 946——Witness never sent returns to the city marshal more than once a year; fees paid by him, *Sullivan* 1901–1904——It has always been the custom of the city marshal's office to receive them only once a year, *Butler* 2063–2074——Fees were sometimes received without the returns; amount of fees; how collected, *Butler* 2075–2089. 2192–2199——Examination of inaccuracies in the city marshal's return to Parliament, *Butler* 2282–2318——Inaccuracies or omissions in the Returns for Belfast, Dundalk, Waterford and Wexford, *Butler* 2361–2367.

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See also *Dublin City Marshal.*

Monts de Piété. Places in Ireland in which such institutions are established or contemplated, viz., Belfast, Cork, Galway, Tandaragee, Thurles and Youghal, *Barrington*, 763–766.

See also *Limerick Mont de Piété. Paris Mont de Piété.*

N.

Newry, Seneschal of. Certificates of securities having been entered into by pawnbrokers, were received from him by the city marshal, his office being tantamount to that of town clerk, *Butler* 2265–2274.

Night Sales. See *Auctions*, 2.

Notices of Sale:

1. *Report of Committee.*
2. *Practice in Dublin and other Places.*
3. *More convenient modes recommended.*
4. *Papers laid before the Committee.*

1. *Report of Committee.*

Insufficiency of the present notices of sale of forfeited pledges, and the unsatisfactory nature of the sale, as far as the interests of the pledgers are concerned, *Rep. p.* ix.

2. *Practice in Dublin and other Places.*

It is the duty of the city marshal in Dublin to serve notices to persons who have pawned goods previous to the sale, for which he is paid by the pawnbrokers, *Mathews* 44–47——These notices are scarcely ever served on the parties, who are in the habit of giving fictitious addresses, *Mathews* 48, 49; *Bentley* 1741——Fees paid to the marshal; they are charged against the article to be sold, and are borne by the pledger, *Mathews* 50–55——Means taken by the city marshal to give notices of sale in Dublin; degree of their utility as a check upon pawnbrokers, *Butler* 2110–2137——Complaints are frequently made of notice not being given; case at the Henry-street police office, Dublin, *Galbraith* 805–807——Losses sustained by witness from the marshal's neglect in serving notices of forfeited pledges, *Brophy* 2379——Are quite useless; they only operate as an additional tax upon the poor, *Haynes* 296–303——They are only required to be given in Dublin, and there the law is evaded, *Barrington* 690, 691.

In Belfast advertisements are always put in the newspapers when sales of any importance are coming on, *Devlin* 1658——Means taken by the pawnbrokers in Limerick to give notice to parties by bills of appraisement, *Homan* 947–951——In Cork it is not the general custom to serve notices of sale, *Sullivan* 1912.

3. *More convenient modes recommended.*

There would be no objection to writing on the back of the duplicate the day on which the sale will take place, *Shields* 1865, 1866; *Aikin* 1306——The pawnbroker could not state the time of sale when the article is pledged, *Haynes* 304——It would be practicable to give notice of the precise day of sale, *Brophy* 2401——Form of duplicate proposed, on which should be inserted the day on which goods would become liable to sale, *M'Cail* 1120——Whatever notice of sale is put on the ticket should be complied with, *M'Cail* 1175——Should be given by advertisement and handbills posted on the pawnbroker's window; the duplicate should contain the time at which it would be lawful for the pawnbroker to sell, *Bentley* 1805–1809——Should be inserted in a newspaper or on shop-windows, *Brophy* 2404——Sales ought to be advertised and posted on the pawnbroker's window one month previous to sale, *Homan* 1021——Notice should be given in the sale-rooms, *Devlin* 1629——It would be a great relief to pawnbrokers if they might ring a bell, and put up a bill stating the day of sale, *Haynes* 457–461.

4. *Papers laid before the Committee.*

Return of the number of notices of sales served by the marshal of the city of Dublin, or by persons employed by him, in the years 1832–1837 respectively, together with the amount of fees received by him for such services during said years, agreeably to an Act passed in the Parliament of Ireland, 28 Geo. 3. c. 49. s. 14., *App. p.* 166–169.

See also *Auctions. Dublin City Marshal.*

O.

Oaths. Preferable to affirmations with penalties; more stringent on pawnbrokers, *Flaxman* 1990.

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1. *Report of Committee.*
2. *Generally.*
3. *In particular Places.*

1. *Report of Committee.*

Difficulties of ascertaining the amount, owing to the manner in which books are kept, *Rep. p.* v.——Insufficiency of the present notices of sale of forfeited pledges, and the unsatisfactory nature of the sale as far as the interests of pledgers in the overplus is concerned, *Rep. p.* ix.——Difficulty which the pledger finds in recovering any overplus which may be obtained on the sale of his goods, after satisfying the lawful charges of the pawnbrokers, *Rep. p.* x.——Proposed arrangements as to restitution of the overplus after sale, *Rep. p.* xx.

2. *Generally.*

The object of all the machinery of auctions is to give any surplus to the owner, but it is ineffectual, *Haynes* 306–313——Pawnbrokers often make false entries in their books to avoid paying any surplus to the owner, *Haynes* 319–321——The poor very seldom receive any overplus, *Barrington* 683–685——Is sometimes returned to the owner in Dublin, but the sum for which an article is sold cannot be always ascertained, *Galbraith* 789–794——Manner in which the overplus is calculated from a pawnbroker's book, *Galbraith* 817–832; *Homan* 987–1006——It can only be ascertained from the auctioneer's book, *Aikin* 1292——Pawnbrokers should be obliged to return the overplus, if demanded, within one year after the sale, in case the money lent be 5*s.* or over, *Homan* 1021——There is not a sufficient check on pawnbrokers with respect to the overplus; it should be left in the hands of the auctioneer, *Sullivan* 1919–1923——The profits of the pawnbroker upon the overplus of sales are very small in Cork, *Sullivan* 1929–1933——The overplus on sales should be lodged by the auctioneer in a bank for the benefit of the owner, and if not claimed within a certain time, be forfeited to the Loan Fund Board, or other public charities, *Haynes* 456; *Barrington* 758–761.

3. *In particular Places.*

In Belfast, evidence as to surplus payments after pledges have been sold by auction, *Aikin* 1321–1338——Persons frequently apply for account of sale, and ask for any surplus, *Devlin* 1624——The overplus has never been refused which was endorsed on the ticket of the auctioneer, *Devlin* 1662——In Cork, frequent applications are made for the surplus produced by sales of goods, *Long* 1504–1506——The pawnbrokers take off the original tickets when they send plate to be sold by the auctioneer, and put on private tickets, so as to conceal the persons to whom it belonged, in case there should be a surplus, *Haynes* 326–334——In Galway, pledgers continually apply for the surplus of sales, *Welsh* 1416——In Limerick, extent to which the overplus is returned to the owners, *Homan* 957–958; 978–987——In Lisburn, pledgers often call for any surplus which may be due from the sale of the pledge, but there is not very frequently any to be had, *M'Call* 1122, 1141, 1142.

See also *Auctions. Interest. Pledges.*

P.

Paris Mont de Piété. Account of capital, expenses of management, amount paid to public charities, &c. furnished by Monsieur Lafitte, the director-general of the establishment, *Douglas* 519–522——There is a reserved fund for the purpose of increasing the capital; money is raised by *billets au porteur*, which are bought like shares in the Royal Bank of France, and are considered as good a security, *Douglas* 525–529——There is only one establishment at Paris conducted by several out-door agents; there are no private pawnbrokers, *Haynes* 466, 467——Number of depôts; responsibility of agents, *Douglas* 530.

See also *Advances. Interest*, 4. *Limerick Mont de Piété.*

Pawnbrokers. All the laws affecting them are either evaded, or are totally inoperative, *Barrington* 656——They should all be embodied into one Act, *Barrington* 664——Reasons for subjecting pawnbrokers to regulations which are not applied to other trades, *Barrington* 668, 669——In Dublin have a common fund to defend themselves against any prosecutions that may be brought against them, *Brophy* 2386——Extent of subscription entered into by pawnbrokers to attend to any Bill which might be introduced on the subject of their trade, *Brophy* 2389–2393——In Cork they desire such alterations in the law as will make the trade respectable, *Sullivan* 1896.

See also *Certificates. Cork. Inspection and control of Pawnbrokers. Treasurers of Counties.*

Pawnbrokers' Books, See *Accounts. Book-keeping. Inspection of Books.*

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Pawnbroking. If properly conducted, is of the greatest service to the poor, *Barrington* 704–706; *M'Call* 1119.

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1. *Report of Committee.*
2. *Evidence.*
3. *Papers laid before the Committee.*

1. *Report of Committee.*

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2. *Evidence.*

Certain small penalties are recoverable from pawnbrokers for malpractices by churchwardens for the benefit of the poor, but are never sued for, *Mathews* 20–26. 78, 79; *Haynes* 338——Highest penalties to which they are liable, *Mathews* 154——Mr. Edward Pennefather gave his opinion that penalties in one part of the Pawnbrokers' Act are repealed in another, *Haynes* 330——Ought to be paid either entirely, or one-half to the informer, *Haynes* 335, 336——They should not be less than 40*s.*, nor more than 10*l.*, one-half to the informer, the other to some charitable institution, *Homan* 1021——In Cork the pawnbrokers watched each other in order to enforce the penalties, *Haynes* 327——Pawnbrokers in Belfast have been frequently fined for illegal practices, but are still in business, *Devlin* 1722–1724.

3. *Papers laid before the Committee.*

Return of the number and amount of penalties imposed during the years 1832–1837, on any pawnbroker who neglected to transmit to the marshal of Dublin the monthly abstract of accounts as required, pursuant to the 42d section of 26 Geo. 3. c. 43. *App. p.* 147–163——Return of the number and amount of penalties imposed during the years 1832–1837, on any auctioneers who neglected to transmit to the marshal of Dublin such accounts and monthly returns as are required, pursuant to the 18th sect. of 28 Geo. 3. c. 49., *App. p.* 169.

Pennefather, Mr. *Edward.* See *Penalties.*

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Plate. Plate and valuable goods should be sold at different times to other property, when sold as unredeemed pledges, *Delvin* 1704——Is seldom sold by public auction in Limerick, *Homan* 964–974.

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1. *Report of Committee.*
2. *Practice of selling unredeemed Pledges privately.*
3. *How long retained before the Sale.*

1. *Report of Committee.*

General statement that the pawnbrokers lose considerably by the average sale of forfeited pledges, owing to the amount originally advanced, *Rep. p.* viii——Necessity of keeping pledges for a period specified by law, *Rep. p.* xiv——Time of keeping pledges to be arranged between the pawnbroker and the pledger; minimum period, three months, *Rep. p.* xxii——Mode of sale of forfeited pledges, *Rep. p.* xx.

2. *Practice of selling unredeemed Pledges privately.*

It is believed that in country places pawned articles are sold privately, *Mathews* 108, 109——In the small towns, goods are often sold privately before the time for redeeming them is expired, *Haynes* 343——Expense of a summons in such a case; difficulty of proving the fact, *Haynes* 346–351——It is the practice of country dealers to purchase goods from pawnbrokers in Dublin, without bringing them to public auction, *Bentley* 1830–1832——Witness has often had goods to sell at Belfast, brought in from other places, *Devlin* 1697.

In Belfast pawnbrokers often sell by retail from their own shops; illegality of the practice, *Devlin* 1717–1719——In Cork plate is always sold by witness by private contract, and some other articles occasionally, *Sullivan* 1913–1918——Pawnbrokers frequently buy them in at the auction, and sell them in their shops, where they fetch a better price, *Sullivan* 1934–1940.

Witness sells such articles as hats, shoes and boots, &c. at his own shop, but no others, *Long* 1558——In Dublin goods are often sold in the shop, without being sent to the

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auction-room, and are sometimes sent as a matter of form, and bought in by the pawnbroker, *Galbraith* 801–804——Some pawnbrokers in Dublin sell pledges privately; none but the owner could complain, and if he does, the pawnbroker compromises with him, *Bentley* 1781–1784——In Limerick most of the goods are carried to the auction-room, but some of them cannot be disposed of, and are privately sold, *Haynes* 314–318; *Homan* 952–956——In Mallow, witness considers that many goods are sold by pawnbrokers by private contract, *Flaxman* 1998——Traders should not be allowed under any new regulations to sell goods; they should be invariably obliged to take their goods to auction, *Aikin* 1304–1319——There should be a permission to dispose of goods of small value according to the English practice, *Brophy* 2404——The lower description of pledges should be forfeited at the end of a certain time, without going through the auction-room, *Sullivan* 1891, 1892——The sale should not be forced, if the pawners desire their goods to be retained, *Long* 1500——Unredeemed pledges are generally considered as the auctioneer's property; they seldom produce more than the sum advanced, *Homan* 1011–1013——All pledges on which less than 5*s.* has been lent, remaining unredeemed for 12 months, ought to be the sole property of the auctioneer, *Homan* 1021.

3. *How long retained before the Sale.*

Pawnbrokers should not be allowed to sell them within a year, nor to charge more than 15 months' interest upon them, *Homan* 1021——Time for which hard and soft goods are usually kept in Limerick; in some cases interest is charged for the whole time, in others is remitted, *Homan* 922. 933——Witness has many pledges in hand for four years, but the principal part are released in 12 months, *M'Call* 1084, 1085——Time which goods of various descriptions should be kept unsold by pawnbrokers, *M'Call* 1166–1173——All goods should be sold at the end of a year, and no interest be chargeable for a longer period, *Aikin* 1379–1381——Goods should be classed, and unredeemed pledges should be sold, according to their nature, at periods varying from six to fifteen months, *Long* 1604——Time for selling pledges should be regulated according to the nature of the property pawned, *Brophy* 2409.

See also *Auction Duty. Auctioneers. Auctions. Duplicates. Interest. Notices of Sale. Releases.*

Poor Law Commission. Extracts and analysis of the evidence of several persons examined before them, touching on the present state of the pawnbroking trade, *App. p.* 145, 146.

Profits. In Dublin the average profits of pawnbrokers are less, in proportion to the capital engaged, than those of any other trade, *Bentley* 1819–1822——Amount of profit on capital employed by witness in his trade at Cork, after deducting expenses, is about 9½ per cent., *Long* 1587.

Porter, Mr., of Tanderagee. Evidence as to the amount of fees paid by him to the city marshal, *Butler* 2016–2118.

Public houses. See *Spirits, Sale of.*

Q.

Quin, Bridget, of Tuam. Examination relative to her securities, *Butler* 2326–2335.

R.

Reid, William, pawnbroker, Carrickfergus. Extracts from the report of Irish Municipal Corporation Commissioners of his evidence, *App. p.* 217.

Releases. Average time for which articles are left in pawn at the Limerick Mont de Piété, *Haynes* 368, 369——More goods are pawned in the morning and released at night at the Paris Mont de Piété than at the Limerick establishment, *Douglas* 515, 516——Instances in proof that it is the interest of a pawnbroker to have pledges released rather than sold, *Sullivan* 1927, 1928——In Dublin one-tenth of the goods pawned are left for sale, and one-twentieth in value; the pawnbroker does not recover the principal advanced by the sale, *Bentley* 1816–1818——The profits of the pawnbrokers' trade arises from the release-ment of goods and the payment of interest, *M'Call* 1067.

See also *Advances. Limerick Mont de Piété.*

Retail Sales. Goods are sometimes sold by retail in disregard of the penalties of the law, *Rep. p.* x.

See also *Pledges,* 1.

Retail Trade. Many persons in the trade who sell old clothes as well as being in the pawnbroking business, *M'Call* 1054——Practicability of preventing pawnbrokers engaging in retail trade, *M'Call* 1065——The capital of pawnbrokers is invested more largely in loans than in goods for sale; they could not think it a hardship to be prohibited from selling goods by retail, *Bentley* 1823, 1824.

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Returns. See *Monthly Returns. Pledges.*

Robberies. Pawnbrokers suffer greatly from robberies by their clerks; mode in which they are effected; a proper system of checks is not adopted; case of Mr. Thornton, at Cork, robbed by a clerk named Robert Mayne, *Haynes* 420–427.

Roe, Deborah Ann, of Ballinasloe. Explanations concerning her securities and certificate as pawnbroker; fees paid, &c., *Butler* 2252–2264.

S.

Sale Books. See *Auctions.*

Sales. Return from the marshal of the city of Dublin of returns made by him to Parliament of amount of goods sold by pawnbrokers' auctioneers in Ireland for each of the last 10 years respectively, pursuant to the 18th section of 28 Geo. 3, c. 49, *App. p.* 166–168—— Returns to the Excise-office from Dublin of pawnbrokers' sales, *App. p.* 231.

See also *Auctions. Auctioneers. Fraudulent Sales. Notices of Sale.*

Saturday Nights. Pawns should be allowed to be taken in late on Saturday nights, as a convenience to the poor, *Homan* 1021; *Brophy* 2408.

SECURITIES:

1. *Report of Committee.*
2. *Neglect or Evasions of the Law relating to Pawnbrokers' Securities.*
3. *Improvements necessary.*

1. *Report of Committee.*

Evasion of penalties and inutility of the present system of giving securities by pawnbrokers, *Rep. p.* xi.

2. *Neglect or evasion of the Law relating to Pawnbrokers' Securities.*

Securities required to be given by pawnbrokers under the Irish Act 16 Geo. 3, c. 43; they are lodged with the town clerk or county treasurer, who give certificates, which are forwarded to the marshal of the city of Dublin, *Mathews* 16–19——Many pawnbrokers are carrying on business without having lodged any security, *Mathews* 27, 28——It appears, from returns of the chief constable of police, that pawnbrokers are carrying on business, who have not lodged securities, *Mathews* 110–112——Many pawnbrokers in Cork have carried on business for years without the marshal's certificate, *Sullivan* 1905–1910——Number of pawnbrokers in Belfast, Ennis, Kilrush, Lisburn and Tralee, who have never lodged any bonds as required by the Act, *Barrington* 693–700——When bonds are entered into, they are scarcely ever renewed, *Barrington* 701–703——No inquiries are made as to whether the securities are living or not, *Homan* 894–898——All the pawnbrokers in the city marshal's return have given securities; charges made for registering them, *Butler* 2019–2062——Examination as to particular entries in his return, and the securities of the parties referred to, *Butler* 2252–2264. 2326–2335. 2352–2360.

3. *Improvements necessary.*

Many pawnbrokers desire that none should carry on the business without a solvent security, respecting whom inquiry should be made each year on the renewal of the license, *Mathews* 126——Proper security should be taken from every person wishing to be licensed as a pawnbroker, *M'Call,* 1068——Recommendation that real security should be taken in lieu of the present nominal security, *M'Call* 1193.

See also *Dublin City Marshal. Licenses. Town Clerks. Treasurers of Counties.*

Shields, James, pawnbroker. Extracts of his evidence as given before the Irish Municipal Corporation Commissioners, *App. p.* 217.

Shields, Thomas. (Analysis of his Evidence.)—Pawnbroker at Belfast, 1848, 1849—— Amount paid in fees on entering business; sums since paid to the city marshal, 1851–1858——Pawnbrokers in Belfast do not keep the hours prescribed by law, which is injurious to those who do, 1859, 1860——A 50*l.* license should be granted to pawnbrokers, which would keep the trade respectable, 1861–1864——There would be no objection to writing the day on which the sale of an article will take place on the back of the duplicate, 1865–1866.

Smith, Samuel, pawnbroker. Extracts from the evidence given by him before the Commissioners of Inquiry into Irish Municipal Corporations, *App. p.* 213.

Spirits, Sale of. In Belfast, a great many pawnbrokers' shops are kept in connexion with public-houses, *Devlin* 1711; *Aikin* 1368——Witness never heard of any case of a person being fined for having a spirit license as well as a pawnbroker's, *Aikin* 1398——In Dublin, some pawnbrokers sell spirits contrary to the Act; Michael Nolan, a pawnbroker, sells

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spirits in a separate shop, *Carr* 636–638——Cases of pawnbrokers taking out licenses to sell spirits in the names of relatives, *Barrington* 677——In Limerick, names of pawnbrokers engaged in the sale of spirits, *Homan* 914–921.

See also *Intoxication.*

Stolen Goods. Pawnbroker's day-book would become an important document in tracing stolen goods, if the police could examine it with confidence, *Rep. p.* v.——Some pawnbrokers in the constant habit of receiving stolen goods; instance of a pawnbroker at Belfast who had been imprisoned for receiving stolen goods, but allowed to continue in business, *Rep p.* xiii.——The law directs no goods from washerwomen, nor plate with crests, to be received, but is commonly disregarded, *Barrington* 676——In Dublin, plate is commonly received with armorial bearings, *Galbraith* 807–811——In Cork, the pawnbrokers have been very vigilant in stopping stolen goods, and have acted as a kind of police, *Sullivan* 1897–1900——Precautions taken at the Limerick Mont de Piété to prevent the reception of stolen goods, *Haynes* 262——Instance of the committal of a pawnbroker at Belfast for refusing to give up a stolen coat, *Aikin* 1840——General wish of the trade that those convicted of such practices should be prevented from continuing in the business, *Aikin* 1847.

See also *Hours of Business.*

Stop-tickets. Charges made by pawnbrokers for stop-tickets when duplicates are lost *Haynes* 229——They are entitled to some remuneration for the trouble, *Haynes* 295——No charge is made for stop-tickets by the Mont de Piété at Limerick, *Haynes* 277–283——Charges of pawnbrokers in Dublin, and cost of magistrates' fees; they are a great tax upon the poor, *Haynes* 284–291——Precautions taken by pawnbrokers to prevent frauds when they have given a second ticket for the same articles, *Haynes* 292, 293——It is not the custom to charge for them in Cork, *Sullivan* 1911.

See also *Duplicates.*

Sullivan, Cornelius. (Analysis of his Evidence.)—Has been 10 years a pawnbroker at Cork, 1867, 1868——Practice of pawnbrokers in Cork in charging interest on the duplicate of articles on which 2*s.* is advanced, 1869–1885——The same practice does not exist in Limerick and other towns, 1886——The lower description of pledges should be forfeited at the end of a certain time without going through the auction-room, 1891, 1892——No interest should be charged after they have been 15 months in pawn, 1893——A pawnbroker convicted of acting wilfully in opposition to the law should be refused a license, 1894——All pawnbrokers should be compelled to keep the same hours, 1895——The pawnbrokers of Cork desire such alterations of the law as will make their trade more respectable, 1896——They have been very vigilant in stopping stolen goods, 1897–1900.

Witness never sent returns to the city marshal more than once a year; fees paid by him, 1901–1904——He was carrying on business for some years without the marshal's certificate; so were many others, 1905–1910——It is not usual to charge for stop-tickets in Cork, 1911——It is not the general custom to serve notices of sale, 1912——Witness always sells plate by private contract, and some other articles occasionally, 1913–1918——He has often returned the overplus; there is not a sufficient check upon pawnbrokers in this respect; the overplus should be left in the hands of the auctioneer, 1919–1923——Sums paid to the auctioneer, 1925–1927——Instance to show that it is the interest of a pawnbroker to have pledges released rather than sold, 1927, 1928——The profits upon the overplus are very small, 1929–1933——Pawnbrokers frequently buy in goods at the auction, and sell them in their shops, 1934–1938——Articles sell much better by private sale, 1939, 1940.

Summonses (Dublin). All summonses in Dublin should be decided by police magistrates, instead of by courts of conscience, *Brophy* 2406.

Sunday Pawning. Pawning sometimes carried on on a Sunday at Belfast, *Devlin* 1710.

Sword-bearer (Dublin). See *Auctioneers.*

T.

Tables of Interest. See *Interest*, 6.

Tandaragee. See *Monts de Piété.*

Taxation. Taxation on the business of pawnbrokers should be removed, *Rep. p.* xxi.——Taxation to which the trade is liable in England and Ireland not complained of by the trade, *Rep. p.* xiii.

Tenant, Dr. Reference to evidence given by him before the Commissioners of Poor Law Inquiry, *App. p.* 145.

Thurles. See *Monts de Piété.*

Tickets. See *Duplicates. Stop-tickets.*

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Town Clerks. Returns from the town-clerks of the city of Dublin, of the names and residences of all pawnbrokers in the city of Dublin, or within three miles thereof, who have lodged bonds with them, together with the names, residences and occupations of their sureties, pursuant to an Act passed in the Irish Parliament, in 28 Geo. 3, c. 49, s. 21, and the dates of each of such bonds: also, of the number of, and names of, pawnbrokers in the city of Dublin, or within three miles thereof, who have taken the necessary oath before the commissioners of police, and have lodged said oath with such town clerk, pursuant to the said section of said Act, *App. p.* 169–171.

Returns from each of the town clerks of cities and towns in Ireland, of the names and residences of all pawnbrokers who have lodged bonds in his office, with the names, residences and occupations of the securities named in such bonds, pursuant to Act passed in the Irish Parliament, in the 26 Geo. 3, c. 43, s. 14: of the names and residences of all appraisers, valuators or auctioneers who have lodged bonds in his office, stating the names, residences and occupations of their sureties, and the date of bonds, pursuant to 31st section of said Act, *App. p.* 186–198.

See also *Securities.*

Treasurers of Counties. Returns from each of the treasurers of counties in Ireland, of the names and residences of all pawnbrokers who have lodged bonds in his office, and the names, residences and occupations of the securities named in such bonds, with the dates of such bonds, pursuant to Act passed in the Parliament of Ireland, 26 Geo. 3, c. 43, s. 14: of the names and residences of all appraisers, valuators or auctioneers, who have lodged bonds in his office, stating the names, residences and occupations of their sureties, and the date of bonds, pursuant to the 31st section of the said Act, *App. p.* 171–186.

U.

Usury. Mode in which usurious charges are made by parties on promissory notes of small amount in Ireland, *M'Call* 1113.

W.

Washerwomen. See *Stolen Goods.*

Welsh, James. (Analysis of his Evidence.)—Pawnbrokers in Galway, 1399——Pawnbrokers willing that the trade should be subject to regulations, 1404——Generality would with pleasure concur in a licensing system, 1405——Witness considers the duty paid at auctions no loss, 1408——Pawnbrokers should be compelled to keep the hours appointed by law, 1410——Witness has notice hung up in his shop of the rates of interest, 1414——Pledgers continually apply for the surplus of sales, 1416——Auctions always carried on on witness's premises, 1419——Mode of conducting the auction and settling accounts, 1423——Witness usully lends about one-half, or less, of the value on goods, 1438——Witness has heard the plan of Mr. Homan, and approves of all his amendments, 1451——Evidence as to mode of book-keeping adopted by witness; keeps no releasing-book, 1453——Cost of bonds; difference of expense at Galway and Limerick, 1473–1476——Increased number of pawnbrokers in Galway, 1476–1478.

Whitecroft, John, pawnbroker. Extract from Report of Irish Municipal Corporation Commissioners of evidence given before them, *App. p.* 214.

Williamson, John. Reference to the evidence given by him before the Poor Law Commissioners, *App. p.* 145.

Y.

Youghall. See *Monts de Piété.*